



General Assembly

Substitute Bill No. 5749

February Session, 2002

**AN ACT CONCERNING THE REVISOR'S TECHNICAL CORRECTIONS
TO THE GENERAL STATUTES AND CERTAIN PUBLIC ACTS.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 1-102 of the general statutes, as amended by
2 section 3 of public act 01-195, is repealed and the following is
3 substituted in lieu thereof (*Effective from passage*):

4 No person, committee, association, organization or corporation shall
5 employ any salaried commissioner or deputy commissioner of this
6 state, or any person receiving a salary or pay from the state for services
7 rendered and performed at Hartford, or shall give to any such person
8 any advantage, aid, emolument, entertainment, money or other
9 valuable thing for appearing for, in behalf of or in opposition to, any
10 measure, bill, resolution or petition pending before the General
11 Assembly or any committee thereof, or for advancing, supporting,
12 advocating, or seeking to secure the passage, defeat or amendment of
13 any such measure, bill, resolution or petition pending in or before the
14 General Assembly or any committee thereof; nor shall any such
15 salaried commissioner, deputy commissioner or other person
16 described in this section accept any such employment or perform any
17 such service for another, or accept aid, emolument, entertainment,
18 money, advantage or other valuable thing for or in consideration of
19 any such service. Any person, committee, association, organization or
20 corporation, or any such salaried commissioner, deputy commissioner

21 or person receiving a salary or pay from the state for services rendered
22 and performed at Hartford, who violates any of the provisions of this
23 section, shall be fined not less than one hundred [nor] or more than
24 one thousand dollars. All complaints for the violation of this section
25 shall be made to the state's attorney for the judicial district of New
26 Britain, and said state's attorney shall, upon proof of probable guilt
27 being shown, cause the arrest of any such offender and present such
28 offender or cause such offender to be presented for trial before the
29 superior court for the judicial district of New Britain.

30 Sec. 2. Subsection (c) of section 4-28f of the general statutes, as
31 amended by section 40 of public act 01-4 of the June special session, is
32 repealed and the following is substituted in lieu thereof (*Effective from*
33 *passage*):

34 (c) The trust fund shall be administered by a board of trustees which
35 shall consist of seventeen trustees. The appointment of the initial
36 trustees shall be as follows: (1) The Governor shall appoint four
37 trustees, one of whom shall serve for a term of one year from July 1,
38 2000, two of whom shall serve for a term of two years from July 1,
39 2000, and one of whom shall serve for a term of three years from July 1,
40 2000; (2) the speaker of the House of Representatives and the president
41 pro tempore of the Senate each shall appoint two trustees, one of
42 whom shall serve for a term of two years from July 1, 2000, and one of
43 whom shall serve for a term of three years from July 1, 2000; (3) the
44 majority leader of the House of Representatives and the majority
45 leader of the Senate each shall appoint two trustees, one of whom shall
46 serve for a term of one year from July 1, 2000, and one of whom shall
47 serve for a term of three years from July 1, 2000; (4) the minority leader
48 of the House of Representatives and the minority leader of the Senate
49 each shall appoint two trustees, one of whom shall serve for a term of
50 one year from July 1, 2000, and one of whom shall serve for a term of
51 two years from July 1, 2000; and (5) the Secretary of the Office of Policy
52 and Management, or the secretary's designee, as an ex-officio voting
53 member. Following the expiration of such initial terms, subsequent
54 trustees shall serve for a term of three years. The trustees shall serve

55 without compensation except for reimbursement for necessary
56 expenses incurred in performing their duties. The board of trustees
57 shall establish rules of procedure for the conduct of its business which
58 shall include, but not be limited to, criteria, processes and procedures
59 to be used in selecting programs to receive money from the trust fund.
60 The trust fund shall be within the Office of Policy and Management for
61 administrative purposes only. The board of trustees shall meet not less
62 than bimonthly and, not later than January first of each year, shall
63 submit a report of [their] its activities and accomplishments to the joint
64 standing committees of the General Assembly having cognizance of
65 matters relating to public health and appropriations and the budgets of
66 state agencies, in accordance with section 11-4a. Such report shall be
67 approved by each trustee.

68 Sec. 3. Subsection (a) of section 4-124w of the general statutes, as
69 amended by section 1 of public act 01-170, is repealed and the
70 following is substituted in lieu thereof (*Effective from passage*):

71 (a) There is established an Office of Workforce Competitiveness
72 which shall be within the Office of Policy and Management [,] for
73 administrative purposes only.

74 Sec. 4. Subsection (a) of section 5-142 of the general statutes, as
75 amended by section 1 of public act 01-208, is repealed and the
76 following is substituted in lieu thereof (*Effective from passage*):

77 (a) If any member of the Division of State Police within the
78 Department of Public Safety or of any correctional institution, or any
79 institution or facility of the Department of Mental Health and
80 Addiction Services giving care and treatment to persons afflicted with
81 a mental disorder or disease, or any institution for the care and
82 treatment of persons afflicted with any mental defect, or any full-time
83 enforcement officer of the Department of Environmental Protection,
84 the Department of Motor Vehicles, the Department of Consumer
85 Protection who carries out the duties and responsibilities of sections
86 30-2 to 30-68m, inclusive, the Office of Adult Probation, the

87 Department of Public Works or the Board of Parole, any probation
88 officer for juveniles or any employee of any juvenile detention home,
89 any member of the police or fire security force of The University of
90 Connecticut, any member of the police or fire security force of Bradley
91 International Airport, any member of the Office of State Capitol Police
92 or any person appointed under section 29-18 as a special policeman for
93 the State Capitol building and grounds and the Legislative Office
94 Building and parking garage and related structures and facilities and
95 other areas under the supervision and control of the Joint Committee
96 on Legislative Management, the Chief State's Attorney, the Chief
97 Public Defender, the Deputy Chief State's Attorney, the Deputy Chief
98 Public Defender, any state's attorney, any assistant state's attorney or
99 deputy assistant state's attorney, any public defender, assistant public
100 defender or deputy assistant public defender, any chief inspector or
101 inspector appointed under section 51-286 or any staff member or
102 employee of the Division of Criminal Justice or of the Division of
103 Public Defender Services, or any Judicial Department employee
104 sustains any injury (1) while making an arrest or in the actual
105 performance of such police duties or guard duties or fire duties or
106 inspection duties, or prosecution or public defender or courthouse
107 duties, or while attending or restraining an inmate of any such
108 institution or as a result of being assaulted in the performance of such
109 person's duty, or while responding to an emergency or code at a
110 correctional institution, and (2) that is a direct result of the special
111 hazards inherent in such duties, the state shall pay all necessary
112 medical and hospital expenses resulting from such injury. If total
113 incapacity results from such injury, such person shall be removed from
114 the active payroll the first day of incapacity, exclusive of the day of
115 injury, and placed on an inactive payroll. Such person shall continue to
116 receive the full salary that such person was receiving at the time of
117 injury subject to all salary benefits of active employees, including
118 annual increments, and all salary adjustments, including salary
119 deductions, required in the case of active employees, for a period of
120 two hundred sixty weeks from the date of the beginning of such
121 incapacity. Thereafter, such person shall be removed from the payroll

122 and shall receive compensation at the rate of fifty per cent of the salary
123 that such person was receiving at the expiration of said two hundred
124 sixty weeks [so] as long as such person remains so disabled, except
125 that any such person who is a member of the Division of State Police
126 within the Department of Public Safety shall receive compensation at
127 the rate of sixty-five per cent of such salary [so] as long as such person
128 remains so disabled. Such benefits shall be payable to a member of the
129 Division of State Police after two hundred sixty weeks of disability
130 only if the member elects in writing to receive such benefits in lieu of
131 any benefits payable to the employee under the state employees
132 retirement system. In the event that such disabled member of the
133 Division of State Police elects the compensation provided under this
134 subsection, no benefits shall be payable under chapter 568 or the state
135 employees retirement system until the former of the employee's death
136 or recovery from such disability. The provisions of section 31-293 shall
137 apply to any such payments, and the state of Connecticut is authorized
138 to bring an action or join in an action as provided by said section for
139 reimbursement of moneys paid and which it is obligated to pay under
140 the terms of this subsection. All other provisions of the workers'
141 compensation law not inconsistent with this subsection, including the
142 specific indemnities and provisions for hearing and appeal, shall be
143 available to any such state employee or the dependents of such a
144 deceased employee. All payments of compensation made to a state
145 employee under this subsection shall be charged to the appropriation
146 provided for compensation awards to state employees. On and after
147 October 1, 1991, any full-time officer of the Department of
148 Environmental Protection, the Department of Motor Vehicles, the
149 Department of Consumer Protection who carries out the duties and
150 responsibilities of sections 30-2 to 30-68m, inclusive, the Office of
151 Adult Probation, the Department of Public Works or the Board of
152 Parole, any probation officer for juveniles or any employee of any
153 juvenile detention home, the Chief State's Attorney, the Chief Public
154 Defender, the Deputy Chief State's Attorney, the Deputy Chief Public
155 Defender, any state's attorney, assistant state's attorney or deputy
156 assistant state's attorney, any public defender, assistant public

157 defender or deputy assistant public defender, any chief inspector or
 158 inspector appointed under section 51-286 or any staff member or
 159 employee of the Division of Criminal Justice or the Division of Public
 160 Defender Services, or any Judicial Department employee who sustains
 161 any injury in the course and scope of such person's employment shall
 162 be paid compensation in accordance with the provisions of section 5-
 163 143 and chapter 568, except, if such injury is sustained as a result of
 164 being assaulted in the performance of such person's duty, any such
 165 person shall be compensated pursuant to the provisions of this
 166 subsection.

167 Sec. 5. Subsection (l) of section 5-198 of the general statutes, as
 168 amended by section 5 of public act 01-195, is repealed and the
 169 following is substituted in lieu thereof (*Effective from passage*):

170 (l) All members of the professional and technical staffs of the
 171 constituent units of the state system of higher education, as defined in
 172 section 10a-1, of all other state institutions of learning, of the
 173 Department of Higher Education, and of the agricultural experiment
 174 station at New Haven, professional employees of the State Board of
 175 Education and teachers certified by the State Board of Education and
 176 employed in teaching positions at state institutions.

177 Sec. 6. Subsection (b) of section 5-275 of the general statutes, as
 178 amended by section 2 of public act 01-103, is repealed and the
 179 following is substituted in lieu thereof (*Effective from passage*):

180 (b) The board shall determine the appropriateness of a unit which
 181 shall be the public employer unit or a subdivision thereof. In
 182 determining the appropriateness of the unit, the board shall: (1) Take
 183 into consideration, but shall not [be limited] limit consideration to, the
 184 following: (A) Public employees must have an identifiable community
 185 of interest, and (B) the effects of overfragmentation; (2) not decide that
 186 any unit is appropriate if (A) such unit includes both professional and
 187 nonprofessional employees, unless a majority of such professional
 188 employees vote for inclusion in such unit, or (B) such unit includes

189 both Department of Correction employees at or above the level of
190 lieutenant and Department of Correction employees below the level of
191 lieutenant; (3) take into consideration that when the state is the
192 employer, it will be bargaining on a state-wide basis unless issues
193 involve working conditions peculiar to a given governmental
194 employment locale; (4) permit the faculties of (A) The University of
195 Connecticut, (B) the Connecticut State University system, and (C) the
196 state regional vocational-technical schools to each comprise a separate
197 unit, which in each case shall have the right to bargain collectively
198 with [its] their respective [board] boards of trustees or [its] their
199 designated [representative] representatives; and (5) permit the
200 community college faculty and the technical college faculty as they
201 existed prior to July 1, 1992, to continue to comprise separate units
202 which in each case shall have the right to bargain collectively with its
203 board of trustees or its designated representative. Nonfaculty
204 professional staff of the above institutions may by mutual agreement
205 be included in such bargaining units, or they may form a separate
206 bargaining unit of their own. This section shall not be deemed to
207 prohibit multiunit bargaining.

208 Sec. 7. Subsection (a) of section 6-38l of the general statutes is
209 repealed and the following is substituted in lieu thereof (*Effective from*
210 *passage*):

211 (a) As used in [the] this section:

212 (1) "Contribution" has the same meaning as "contribution", as
213 defined in section 9-333b, except that the exclusions to said term in
214 subsection (b) of said section shall not apply;

215 (2) "Expenditure" has the same meaning as "expenditure", as defined
216 in section 9-333c, except that the exclusions to said term in subsection
217 (b) of said section shall not apply; and

218 (3) "Immediate family" means a dependent relative who resides in
219 the individual's household or any spouse, child or parent of the
220 individual.

221 Sec. 8. Subdivision (3) of section 7-36 of the general statutes, as
222 amended by section 2 of public act 01-163, is repealed and the
223 following is substituted in lieu thereof (*Effective from passage*):

224 (3) "Institution" means any public or private facility [,] that provides
225 inpatient medical, surgical or diagnostic care or treatment, or nursing,
226 custodial or domiciliary care, or to which persons are committed by
227 law.

228 Sec. 9. Section 7-53 of the general statutes, as amended by section 15
229 of public act 01-163, is repealed and the following is substituted in lieu
230 thereof (*Effective from passage*):

231 Upon receipt of the record of adoption referred to in subsection (e)
232 of section 45a-745 or of other evidence satisfactory to the department
233 that a person born in this state has been adopted, the department shall
234 prepare a new birth certificate of such adopted person, except that no
235 new certificate of birth shall be prepared if the court decreeing the
236 adoption, the adoptive parents or the adopted person, if over fourteen
237 years of age, so requests. Such new birth certificate shall include all the
238 information required to be set forth in a certificate of birth of this state
239 as of the date of birth, except that the adopting parents shall be named
240 as the parents instead of the genetic parents and, when a certified copy
241 of the birth of such person is requested by an authorized person, a
242 copy of the new certificate of birth as prepared by the department shall
243 be provided. Any person seeking to examine or obtain a copy of the
244 original record or certificate of birth shall first obtain a written order
245 signed by the judge of the probate court for the district in which the
246 adopted person was adopted or born in accordance with section [45a-
247 751] 45a-753 or a written order of the Probate Court in accordance with
248 the provisions of section 45a-752, stating that the court is of the opinion
249 that the examination of the birth record of the adopted person by the
250 adopting parents or the adopted person, if over eighteen years of age,
251 or by the person wishing to examine the same or that the issuance of a
252 copy of such birth certificate to the adopting parents, adopted person,
253 if over eighteen years of age or to the person applying therefor will not

254 be detrimental to the public interest or to the welfare of the adopted
255 person or to the welfare of the genetic or adoptive parent or parents.
256 Upon receipt of such court order, the registrar of vital statistics of any
257 town in which the birth of such person was recorded, or the
258 department, may issue the certified copy of the original certificate of
259 birth on file, marked with a notation by the issuer that such original
260 certificate of birth has been superseded by a replacement certificate of
261 birth as on file, or, may permit the examination of such record.
262 Immediately after a new certificate of birth has been prepared, an exact
263 copy of such certificate, together with a written notice of the evidence
264 of adoption, shall be transmitted by the department to the registrar of
265 vital statistics of each town in this state in which the birth of the
266 adopted person is recorded. The new birth certificate, the original
267 certificate of birth on file and the evidence of adoption shall be filed
268 and indexed, under such regulations as the commissioner adopts, in
269 accordance with chapter 54, to carry out the provisions of this section
270 and to prevent access to the records of birth and adoption and the
271 information therein contained without due cause, except as provided
272 in this section. Any person, except such parents or adopted person,
273 who discloses any information contained in such records, except as
274 provided in this section, shall be fined not more than five hundred
275 dollars or imprisoned not more than six months, or both. Whenever a
276 certified copy of an adoption decree from a court of a foreign country,
277 having jurisdiction of the adopted person, is filed with the department
278 under the provisions of this section, such decree, when written in a
279 language other than English, shall be accompanied by an English
280 translation, which shall be subscribed and sworn to as a true
281 translation by an American consulate officer stationed in such foreign
282 country.

283 Sec. 10. Subsection (a) of section 7-60 of the general statutes, as
284 amended by section 20 of public act 01-163, is repealed and the
285 following is substituted in lieu thereof (*Effective from passage*):

286 (a) Each case of fetal death shall be registered and a fetal death
287 certificate shall be filed with the registrar of vital statistics in the

288 manner required by sections 7-48, as amended, 7-50, as amended, 7-51,
289 as amended, and 7-52, as amended, with respect to the filing, content
290 and issuance of birth certificates. A fetus born after a period of
291 gestation of not less than twenty weeks in which there is no attempt at
292 respiration, no action of heart and no movement of voluntary muscle,
293 shall be recorded as a fetal death. A fetal death certificate shall be
294 signed by a physician or, when no physician was in attendance, by the
295 Chief Medical Examiner, Deputy Chief Medical Examiner, an associate
296 medical examiner, or an authorized assistant medical examiner.

297 Sec. 11. Subparagraph (H)(xv) of subdivision (7) of subsection (c) of
298 section 7-148 of the general statutes, as amended by section 1 of public
299 act 01-128, is repealed and the following is substituted in lieu thereof
300 (*Effective from passage*):

301 (xv) Make and enforce regulations preventing housing blight,
302 including regulations reducing assessments, provided such regulations
303 define housing blight, and including regulations establishing a duty to
304 maintain property and specifying standards to determine if there is
305 neglect; prescribe fines for the violation of such regulations of not less
306 than ten [nor] or more than one hundred dollars for each day that a
307 violation continues and, if such fines are prescribed, such municipality
308 shall adopt a citation hearing procedure in accordance with section 7-
309 152c.

310 Sec. 12. Subsections (f) and (g) of section 8-23 of the general statutes,
311 as amended by section 1 of public act 01-197, are repealed and the
312 following is substituted in lieu thereof (*Effective from passage*):

313 (f) A plan of conservation and development or any part thereof or
314 amendment thereto prepared by the commission or any special
315 committee shall be reviewed, and may be amended, by the
316 commission prior to scheduling at least one public hearing on
317 adoption. At least sixty-five days prior to the public hearing on
318 adoption, the commission shall submit a copy of such plan or part
319 thereof or amendment thereto for review and comment to the

320 legislative body. Such body may hold one or more hearings on the
321 proposed plan and shall submit any comments to the commission
322 prior to the public hearing on adoption. The failure of such body to
323 report prior to or at the public hearing shall be taken as approval of the
324 plan. At least sixty-five days prior to the public hearing on adoption,
325 the commission shall submit a copy of such plan to the regional
326 planning agency for review and comment. The regional planning
327 agency shall report its comments to the commission at or before the
328 hearing. The failure of the regional planning agency to report at or
329 before the hearing shall be taken as approval of the plan. The report of
330 the regional planning agency shall be advisory. Prior to the public
331 hearing on adoption, the commission shall file in the office of the town
332 clerk a copy of such plan or part thereof or amendment thereto but, in
333 the case of a district commission, such commission shall file such
334 information in the offices of both the district clerk and the town clerk.
335 The commission shall cause to be published in a newspaper having a
336 general circulation in the municipality, at least twice at intervals of not
337 less than two days, the first not more than fifteen days, [nor] or less
338 than ten days, and the last not less than two days prior to the date of
339 each such hearing, notice of the time and place of any such public
340 hearing. Such notice shall make reference to the filing of such plan in
341 the office of the town clerk, or both the district clerk and the town
342 clerk, as the case may be.

343 (g) The commission may adopt the plan or any part thereof or
344 amendment thereto by a single resolution or may, by successive
345 resolutions, adopt parts of the plan and amendments thereto. Any
346 plan, section of a plan or recommendation in the plan, not endorsed by
347 the legislative body of the municipality may be adopted by the
348 commission by a vote of not less than two-thirds of all the members of
349 the commission. Upon adoption by the commission, any plan or part
350 thereof or amendment thereto shall become effective at a time
351 established by the commission, provided notice thereof shall be
352 published in a newspaper having a general circulation in the
353 municipality prior to such effective date. Any plan or part thereof or

354 amendment thereto shall be filed in the office of the town clerk, except
355 that, if it is a district plan or amendment, it shall be filed in the offices
356 of both the district and town [clerk] clerks.

357 Sec. 13. Subsection (b) of section 12-65b of the general statutes, as
358 amended by section 1 of public act 01-125, is repealed and the
359 following is substituted in lieu thereof (*Effective from passage*):

360 (b) The provisions of subsection (a) of this section shall only apply if
361 the improvements are for at least one of the following: (1) [For office]
362 Office use; (2) [for] retail use; (3) [for] permanent residential use; (4)
363 [for] transient residential use; (5) [for] manufacturing use; (6) [for]
364 warehouse, storage or distribution use; (7) [for] structured multilevel
365 parking use necessary in connection with a mass transit system; (8)
366 [for] information technology; (9) [for] recreation facilities; or (10) [for]
367 transportation facilities.

368 Sec. 14. Subsection (a) of section 17b-802 of the general statutes, as
369 amended by section 32 of public act 01-2 of the June special session
370 and section 129 of public act 01-9 of the June special session, is
371 repealed and the following is substituted in lieu thereof (*Effective from*
372 *passage*):

373 (a) The Commissioner of Social Services shall establish, within
374 available appropriations, and administer a security deposit guarantee
375 program for persons who are recipients of temporary family
376 assistance, aid under the state supplement program, state-
377 administered general assistance or general assistance and [to] for
378 persons who have a documented showing of financial need and are
379 residing in emergency shelters or other emergency housing or who
380 cannot remain in permanent housing due to any reason specified in
381 subsection (a) of section 17b-808 or [is] are served a notice to quit in a
382 summary process action instituted pursuant to chapter 832, for use by
383 such persons in lieu of a security deposit on a rental dwelling unit.
384 Eligible persons may receive a security deposit guarantee in an amount
385 not to exceed the equivalent of two months' rent on such rental unit.

386 No person may apply for and receive a security deposit guarantee
387 more than once in any eighteen-month period without the express
388 authorization of the Commissioner of Social Services, except as
389 provided in subsection (b) of this section.

390 Sec. 15. Subsection (e) of section 19a-42 of the general statutes, as
391 amended by section 32 of public act 01-163, is repealed and the
392 following is substituted in lieu thereof (*Effective from passage*):

393 (e) When the parent or parents of a child [requests] request the
394 amendment of the child's birth certificate to reflect a new mother's
395 name because the name on the original certificate is fictitious, such
396 parent or parents shall obtain an order of a court of competent
397 jurisdiction declaring the putative mother to be the child's mother.
398 Upon receipt of a certified copy of such order, the department shall
399 amend the child's birth certificate to reflect the mother's true name.

400 Sec. 16. Section 20-278 of the general statutes, as amended by section
401 12 of public act 01-109, is repealed and the following is substituted in
402 lieu thereof (*Effective from passage*):

403 No person shall: (1) Buy, sell or fraudulently obtain or furnish any
404 diploma, certificate, license, record or registration purporting to show
405 that any person is qualified or authorized to practice electrology, or
406 participate in any such act; (2) practice or attempt or offer to practice
407 electrology under cover of any diploma, certificate, license, record or
408 registration illegally or fraudulently obtained or signed, or issued
409 unlawfully or under fraudulent representation or mistake of fact in a
410 material regard; (3) practice or attempt or offer to practice electrology
411 under a name other than such person's own name or under a false or
412 assumed name; (4) aid or abet practice by a person not lawfully
413 licensed to practice electrology within this state or by a person whose
414 license to practice has been suspended or revoked; or (5) use in such
415 person's advertising the word "electrologist" or any description of
416 services involving permanent hair removal, without having obtained a
417 license under the provisions of this chapter. No person shall, during

418 the time such person's license is revoked or suspended, practice or
419 attempt or offer or advertise to practice electrology or be employed by,
420 work with or assist, in any way, any person licensed to practice
421 electrology. Any person who violates any provision of this section
422 shall be fined not more than one hundred dollars or imprisoned not
423 more than thirty days, or both.

424 Sec. 17. Section 27-19 of the general statutes, as amended by section
425 2 of public act 01-123, is repealed and the following is substituted in
426 lieu thereof (*Effective from passage*):

427 The Military Department shall be under the charge of the Adjutant
428 General. On or before July 1, 1980, the Governor shall appoint an
429 Adjutant General with the rank of major general to serve for a term of
430 two years from July 1, 1980. Quadrennially thereafter, the Governor
431 shall appoint an Adjutant General with the rank of lieutenant general
432 to serve for [the] a term of four years, from such first day of July and
433 until a successor is appointed and qualified. The Adjutant General
434 shall have had at least ten years' commissioned service in the armed
435 forces of the United States. No person shall be appointed [nor] or
436 continue to serve after reaching the age of sixty-four years. The
437 Adjutant General may be suspended or removed by the Governor in
438 accordance with the provisions of sections 4-11, 4-12 and 4-13.

439 Sec. 18. Subsection (a) of section 29-35 of the general statutes, as
440 amended by section 9 of public act 01-130, is repealed and the
441 following is substituted in lieu thereof (*Effective from passage*):

442 (a) No person shall carry any pistol or revolver upon [one's] his or
443 her person, except when such person is within the dwelling house or
444 place of business of such person, without a permit to carry the same
445 issued as provided in section 29-28, as amended. The provisions of this
446 subsection shall not apply to the carrying of any pistol or revolver by
447 any parole officer or peace officer of this state, or parole officer or
448 peace officer of any other state while engaged in the pursuit of official
449 duties, or federal marshal or federal law enforcement agent, or to any

450 member of the armed forces of the United States, as defined by section
451 27-103, or of this state, as defined by section 27-2, when on duty or
452 going to or from duty, or to any member of any military organization
453 when on parade or when going to or from any place of assembly, or to
454 the transportation of pistols or revolvers as merchandise, or to any
455 person transporting any pistol or revolver while contained in the
456 package in which it was originally wrapped at the time of sale and
457 while transporting the same from the place of sale to the purchaser's
458 residence or place of business, or to any person removing such
459 person's household goods or effects from one place to another, or to
460 any person while transporting any such pistol or revolver from such
461 person's place of residence or business to a place or individual where
462 or by whom such pistol or revolver is to be repaired or while returning
463 to such person's place of residence or business after the same has been
464 repaired, or to any person transporting a pistol or revolver in or
465 through the state for the purpose of taking part in competitions, taking
466 part in formal pistol or revolver training, repairing such pistol or
467 revolver or attending any meeting or exhibition of an organized
468 collectors' group if such person is a bona fide resident of the United
469 States and is permitted to possess and carry a pistol or revolver in the
470 state or subdivision of the United States in which such person resides,
471 or to any person transporting a pistol or revolver to and from a testing
472 range at the request of the issuing authority, or to any person
473 transporting an antique pistol or revolver, as defined in section 29-33.
474 For the purposes of this subsection, "formal pistol or revolver training"
475 means pistol or revolver training at a locally approved or permitted
476 firing range or training facility, and "transporting a pistol or revolver"
477 means transporting a pistol or revolver that is unloaded and, if such
478 pistol or revolver is being transported in a motor vehicle, is not readily
479 accessible or directly accessible from the passenger compartment of the
480 vehicle or, if such pistol or revolver is being transported in a motor
481 vehicle that does not have a compartment separate from the passenger
482 compartment, such pistol or revolver shall be contained in a locked
483 container other than the glove compartment or console. Nothing in this
484 section shall be construed to prohibit the carrying of a pistol or

485 revolver during formal pistol or revolver training or repair.

486 Sec. 19. Subdivision (5) of subsection (b) of section 31-3h of the
487 general statutes, as amended by section 1 of public act 01-42, is
488 repealed and the following is substituted in lieu thereof (*Effective from*
489 *passage*):

490 (5) Implementing the federal Workforce Investment Act of 1998, P.L.
491 105-220, as from time to time amended. Such implementation shall
492 include (A) developing, in consultation with the regional workforce
493 development boards, a single Connecticut workforce development
494 plan that (i) complies with the provisions of said act and section 31-
495 11p, and (ii) includes comprehensive state performance measures for
496 workforce development activities specified in Title I of the federal
497 Workforce Investment Act of 1998, P.L. 105-220, as from time to time
498 amended, which performance measures comply with the requirements
499 of CFR Part [666.10] 666.100, (B) preparing and submitting a report on
500 the state's progress in achieving such performance measures to the
501 Governor and the General Assembly annually on January thirty-first,
502 (C) making recommendations to the General Assembly concerning the
503 allocation of funds received by the state under said act and making
504 recommendations to the regional workforce development boards
505 concerning the use of formulas in allocating such funds to adult
506 employment and job training activities and youth activities, as
507 specified in said act, (D) providing oversight and coordination of the
508 state-wide employment statistics system required by said act, (E) as
509 appropriate, recommending to the Governor that the Governor apply
510 for workforce flexibility plans and waiver authority under said act,
511 after consultation with the regional workforce development boards, (F)
512 developing performance criteria for regional workforce development
513 boards to utilize in creating a list of eligible providers, and (G) on or
514 before December 31, 1999, developing a uniform individual training
515 accounts voucher system that shall be used by the regional workforce
516 development boards to pay for training of eligible workers by eligible
517 providers, as required under said act.

518 Sec. 20. Subsection (b) of section 31-4 of the general statutes, as
519 amended by section 1 of public act 01-147, is repealed and the
520 following is substituted in lieu thereof (*Effective from passage*):

521 (b) The commissioner shall produce printed material describing the
522 rights of immigrant laborers or laborers who lack proficiency in the
523 English language as employees under part III of chapter 557 [.] and
524 chapters 558 and 567, and the commissioner shall provide such
525 information to such laborers when they apply for benefits under
526 chapter 567 or when they seek compliance with any provision under
527 part III of chapter 557 or chapter 558. The commissioner shall, within
528 available funds, make such information available to the public. The
529 commissioner shall prevent illegal advantage being taken of such
530 laborers by reason of their lack of information about their rights,
531 credulity or lack of proficiency in the English language. The languages
532 used in such printed material, in addition to Spanish and French, may
533 be those languages determined by the commissioner to be spoken by
534 the primary groups of immigrant laborers in the state.

535 Sec. 21. Subsection (c) of section 32-11a of the general statutes, as
536 amended by section 5 of public act 01-179, is repealed and the
537 following is substituted in lieu thereof (*Effective from passage*):

538 (c) The board of directors of the authority shall consist of the
539 Commissioner of Economic and Community Development, the State
540 Treasurer [of the state] and the Secretary of the Office of Policy and
541 Management, each serving ex officio, four members appointed by the
542 Governor who shall be experienced in the field of financial lending or
543 the development of commerce, trade and business and four members
544 appointed as follows: One by the president pro tempore of the Senate,
545 one by the minority leader of the Senate, one by the speaker of the
546 House of Representatives and one by the minority leader of the House
547 of Representatives. Each ex-officio member may designate a deputy or
548 any member of the agency staff to represent the member at meetings of
549 the authority with full powers to act and vote on the member's behalf.
550 The chairperson of the board shall be appointed by the Governor, with

551 the advice and consent of both houses of the General Assembly. The
552 board shall annually elect one of its members as vice [chairman]
553 chairperson. Each member appointed by the Governor shall serve at
554 the pleasure of the Governor but no longer than the term of office of
555 the Governor or until the member's successor is appointed and
556 qualified, whichever is longer. Each member appointed by a member
557 of the General Assembly shall serve in accordance with the provisions
558 of section 4-1a. Members shall receive no compensation but shall be
559 reimbursed for necessary expenses incurred in the performance of
560 their duties under the authority legislation, as defined in subsection
561 (hh) of section 32-23d, as amended. The Governor shall fill any
562 vacancy for the unexpired term of a member appointed by the
563 Governor. The appropriate legislative appointing authority shall fill
564 any vacancy for the unexpired term of a member appointed by such
565 authority. A member of the board shall be eligible for reappointment.
566 Any member of the board may be removed by the Governor for
567 misfeasance, malfeasance or wilful neglect of duty. Each member of
568 the authority before entering upon his or her duties shall take and
569 subscribe the oath or affirmation required by article XI, section 1, of the
570 State Constitution. A record of each such oath shall be filed in the
571 office of the Secretary of the State. Meetings of the board shall be held
572 at such times as shall be specified in the bylaws adopted by the board
573 and at such other time or times as the [chairman] chairperson deems
574 necessary. The board is empowered to adopt bylaws and regulations
575 for putting into effect the provisions of said chapters and sections. Not
576 later than November first, annually, the authority shall submit a report
577 to the Commissioner of Economic and Community Development, the
578 Auditors of Public Accounts and the joint standing committees of the
579 General Assembly having cognizance of matters relating to the
580 Department of Economic and Community Development,
581 appropriations and capital bonding, which shall include the following
582 information with respect to new and outstanding financial assistance
583 provided by the authority during the twelve-month period ending on
584 June thirtieth next preceding the date of the report for each financial
585 assistance program administered by the authority: (1) A list of the

names, addresses and locations of all recipients of such assistance, (2) for each recipient: (A) The business activities, (B) the Standard Industrial Classification Manual codes, (C) the gross revenues during the recipient's most recent fiscal year, (D) the number of employees at the time of application, (E) whether the recipient is a minority or [women-owned] woman-owned business, (F) a summary of the terms and conditions for the assistance, including the type and amount of state financial assistance, job creation or retention requirements, and anticipated wage rates, and (G) the amount of investments from private and other nonstate sources that have been leveraged by the assistance, (3) the economic benefit criteria used in determining which applications have been approved or disapproved, and (4) for each recipient of assistance on or after July 1, 1991, a comparison between the number of jobs to be created, the number of jobs to be retained and the average wage rates for each such category of jobs, as projected in the recipient's application, versus the actual number of jobs created, the actual number of jobs retained and the average wage rates for each such category. The report shall also indicate the actual number of full-time jobs and the actual number of part-time jobs in each such category and the benefit levels for each such subcategory. In addition, the report shall state (A) for each final application approved during the twelve-month period covered by the report, (i) the date that the final application was received by the authority, and (ii) the date of such approval; (B) for each final application withdrawn during the twelve-month period covered by the report, (i) the municipality in which the applicant is located, (ii) the Standard Industrial Classification Manual code for the applicant, (iii) the date that the final application was received by the authority, and (iv) the date of such withdrawal; (C) for each final application disapproved during the twelve-month period covered by the report, (i) the municipality in which the applicant is located, (ii) the Standard Industrial Classification Manual code for the applicant, (iii) the date that the final application was received by the authority, and (iv) the date of such disapproval; and (D) for each final application on which no action has been taken by the applicant or the agency in the twelve-month period covered by the report and for

621 which no report has been submitted under this subsection, (i) the
622 municipality in which the applicant is located, (ii) the Standard
623 Industrial Classification Manual code for the applicant, and (iii) the
624 date that the final application was received by the authority. The
625 November first report shall include a summary of the activities of the
626 authority, including all activities to assist small businesses and
627 minority business enterprises, as defined in section 4a-60g, a complete
628 operating and financial statement and recommendations for legislation
629 to promote the purposes of the authority. The authority shall furnish
630 such additional reports upon the written request of any such
631 committee at such times and containing such information as the
632 committee may request. The accounts of the authority shall be subject
633 to annual audit by the state Auditors of Public Accounts. The authority
634 may cause an audit of its books and accounts to be made at least once
635 each fiscal year by certified public accountants. The powers of the
636 authority shall be vested in and exercised by not less than six of the
637 members of the board of directors then in office. Such number of
638 members shall constitute a quorum and the affirmative vote of a
639 majority of the members present at a meeting of the board shall be
640 necessary for any action taken by the authority. No vacancy in the
641 membership of the board shall impair the right to exercise all the rights
642 and perform all the duties of the authority. Any action taken by the
643 board under the provisions of said chapters and sections may be
644 authorized by resolution at any regular or special meeting, and each
645 such resolution shall take effect immediately and need not be
646 published or posted. The authority shall be exempt from the
647 provisions of section 4-9a.

648 Sec. 22. Subdivision (6) of subsection (l) of section 32-11a of the
649 general statutes, as amended by section 6 of public act 01-179, is
650 repealed and the following is substituted in lieu thereof (*Effective from*
651 *passage*):

652 (6) The authority may make loans or grants to, and may guarantee
653 specified obligations of, any [each] such subsidiary, following standard
654 authority procedures, from the authority's assets and the proceeds of

its bonds, notes, and other obligations, provided however, that the source and security, if any, for the repayment of any such loans or guarantees is derived from the assets, revenues and resources of such subsidiary.

Sec. 23. Section 32-23h of the general statutes, as amended by section 14 of public act 01-179, is repealed and the following is substituted in lieu thereof (*Effective from passage*):

The exercise of the powers granted by the authority legislation, as defined in subsection (hh) of section 32-23d, as amended, shall constitute the performance of an essential governmental function and the authority shall not be required to pay any taxes or assessments upon or in respect of a project, or any property or moneys of the authority, levied by any municipality or political subdivision or special district having taxing powers of the state, nor shall the authority be required to pay state taxes of any kind, and the authority, its projects, property and moneys and any bonds and notes issued under the provisions of said chapters and sections, their transfer and the income therefrom, including any profit made on the sale thereof, shall at all times be free from taxation of every kind by the state except for estate or succession taxes and by the municipalities and all other political subdivisions or special districts having taxing powers of the state; provided any person [,] leasing a project from the authority shall pay to the municipality, or other political subdivision or special district having taxing powers, in which such project is located, a payment in lieu of taxes which shall equal the taxes on real and personal property, including water and sewer assessments, which such lessee would have been required to pay had it been the owner of such property during the period for which such payment is made and neither the authority nor its projects, properties, money or bonds and notes shall be obligated, liable or subject to lien of any kind for the enforcement, collection or payment thereof. The sale of tangible personal property or services by the authority is exempt from the sales tax under chapter 219, and the storage, use or other consumption in this state of tangible personal property or services purchased from the authority is exempt

689 from the use tax under chapter 219. If and to the extent the
690 proceedings under which the bonds authorized to be issued under the
691 provisions of said chapters and sections so provide, the authority may
692 agree to cooperate with the lessee of a project in connection with any
693 administrative or judicial proceedings for determining the validity or
694 amount of such payments and may agree to appoint or designate and
695 reserve the right in and for such lessee to take all action which the
696 authority may lawfully take in respect of such payments and all
697 matters relating thereto, provided such lessee shall bear and pay all
698 costs and expenses of the authority thereby incurred at the request of
699 such lessee or by reason of any such action taken by such lessee in
700 behalf of the authority. Any lessee of a project which has paid the
701 amounts in lieu of taxes required by this section to be paid shall not be
702 required to pay any such taxes in which a payment in lieu thereof has
703 been made to the state or to any such municipality or other political
704 subdivision or special district having taxing powers, any other statute
705 to the contrary notwithstanding. Any industrial pollution control
706 facility financed under said chapters and sections shall be subject to
707 such approvals, as may be required by law, of any agency of the state
708 and any agency of the United States having jurisdiction in the matter
709 and, in the discretion of the authority, may be acquired, constructed or
710 improved as part of or jointly with a pollution control facility
711 undertaken by a municipality or political subdivision or special district
712 having taxing powers in the state and the authority is authorized to
713 cooperate and execute contracts with such a municipality or political
714 subdivision or special district.

715 Sec. 24. Subsection (b) of section 32-23yy of the general statutes, as
716 amended by section 4 of public act 01-96, is repealed and the following
717 is substituted in lieu thereof (*Effective from passage*):

718 (b) There is created within the authority the High-Technology
719 Infrastructure Fund. The state, acting through the authority, may
720 provide financial assistance from [such] said fund that enables the
721 development of information technology projects. Such financial
722 assistance may be provided directly or in participation with any other

723 financial institutions, funds or other persons or other sources of
724 financing, public or private and the authority may enter into any
725 agreements or contracts it deems necessary or convenient in
726 connection therewith. Payments of principal, interest or other forms of
727 return on investment received by the authority shall be deposited in or
728 held on behalf of said fund.

729 Sec. 25. Subsection (a) of section 32-227 of the general statutes, as
730 amended by section 18 of public act 01-179, is repealed and the
731 following is substituted in lieu thereof (*Effective from passage*):

732 (a) For the purpose of carrying out or administering a municipal or
733 business development project, (1) a municipality, acting by and
734 through its implementing agency, may, subject to the limitations and
735 procedures set forth in this section, issue from time to time bonds of
736 the municipality, and (2) the Connecticut Development Authority may,
737 upon a resolution adopted [of] by the legislative body of the
738 municipality, issue from time to time bonds which, in either case, are
739 payable solely or in part from and secured by: (A) A pledge of and lien
740 upon any or all of the income, proceeds, revenues and property of
741 development projects, including the proceeds of grants, loans,
742 advances or contributions from the federal government, the state or
743 other source, including financial assistance furnished by the
744 municipality or any other public body pursuant to sections 32-220 to
745 32-234, inclusive; (B) taxes or payments in lieu of taxes, or both, in
746 whole or in part, allocated to and paid into a special fund of the
747 municipality or the Connecticut Development Authority pursuant to
748 the provisions of subsection (c) of this section; or (C) any combination
749 of the methods in subparagraphs (A) and (B) of this section. Any
750 bonds payable and secured as provided in this subsection shall be
751 authorized by, and the appropriation of the proceeds thereof approved
752 by and subject to, a resolution adopted by the legislative body of the
753 municipality, notwithstanding the provisions of any other statute, local
754 law or charter governing the authorization and issuance of bonds and
755 the appropriation of the proceeds thereof generally by the
756 municipality. No such resolution shall be adopted until after a public

757 hearing has been held upon such authorization. Notice of such hearing
758 shall be published not less than five days prior to such hearing in a
759 newspaper having a general circulation in the municipality. Any such
760 bonds of a municipality or the Connecticut Development Authority
761 shall be issued and sold in such manner; bear interest at such rate or
762 rates, including variable rates; provide for the payment of interest on
763 such dates, whether before or at maturity; be issued at, above or below
764 par; mature at such time or times not exceeding thirty years from their
765 date; have such rank or priority; be payable in such medium of
766 payment; be issued in such form, including, without limitation,
767 registered or book-entry form; carry such registration and transfer
768 privileges and be made subject to purchase or redemption before
769 maturity at such price or prices and under such terms and conditions,
770 including the condition that such bonds be subject to purchase or
771 redemption on the demand of the owner thereof; and contain such
772 other terms and particulars as the legislative body of the municipality
773 or the officers delegated such authority by the legislative body of the
774 municipality shall determine. Any such bonds of the Connecticut
775 Development Authority shall be issued and sold in the manner and
776 subject to the general terms and provisions of law applicable to
777 issuance of bonds by the Connecticut Development Authority, except
778 that the provisions of subsection (b) of section 32-23j shall not apply.
779 The proceedings under which bonds are authorized to be issued may,
780 subject to the provisions of indenture or to any other depository
781 agreement, provide for the method of disbursement thereof, with such
782 safeguards and restrictions as it may determine. Any pledge made by
783 the municipality or the Connecticut Development Authority for bonds
784 issued as provided in this subsection shall be valid and binding from
785 the time when the pledge is made, and any revenues or other receipts,
786 funds or moneys so pledged and thereafter received by the
787 municipality or the Connecticut Development Authority shall be
788 subject to the lien of such pledge without any physical delivery thereof
789 or further act. The lien of any such pledge shall be valid and binding as
790 against all parties having claims of any kind in tort, contract or
791 otherwise against the municipality or Connecticut Development

792 Authority, irrespective of whether such parties have notice of such
793 lien. Neither the resolution nor any other instrument by which a
794 pledge is created need be recorded. All expenses incurred in carrying
795 out such financing may be treated as project costs. Such bonds shall
796 not be included in computing the aggregate indebtedness of the
797 municipality, provided, if such bonds are made payable, in whole or in
798 part, from funds contracted to be advanced by the municipality, the
799 aggregate amount of such funds not yet appropriated to such purpose
800 shall be included in computing the aggregate indebtedness of the
801 municipality. As used in this section, "bonds" means any bonds,
802 including refunding bonds, notes, temporary notes, interim
803 certificates, debentures or other obligations. Temporary notes issued in
804 accordance with this subsection in anticipation of the receipt of the
805 proceeds of bond issues may be issued for a period of not more than
806 five years, and notes issued for a shorter period of time may be
807 renewed by the issue of other notes, provided the period from the date
808 of the original notes to the maturity of the last notes issued in renewal
809 thereof shall not exceed five years. For purposes of this section,
810 references to the Connecticut Development Authority shall include
811 any subsidiary of the Connecticut Development Authority established
812 pursuant to subsection (l) of section 32-11a, as amended.

813 Sec. 26. Section 35-2 of the general statutes is repealed and the
814 following is substituted in lieu thereof (*Effective from passage*):

815 No partnership, common law trust or association, or individual
816 using a trade name, shall use, either as a part of its name or as a prefix
817 or suffix thereto or as a designation of the business carried on by it, the
818 word "bank", "banking", "banker", "bankers", "trust" or "savings",
819 provided either the word "bankers" or the word "trust" may be so used
820 when qualified and immediately preceded by the word "investment",
821 but not followed by the word "company" or "corporation". The
822 provisions of this section shall not apply to any charitable or athletic
823 association. No provision of this section shall prevent any savings and
824 loan association organized under the provisions of [section 36a-85]
825 part I of chapter 664b from using the term "savings" either as a part of

826 its name or as a prefix or suffix thereto or as a designation of the
827 business carried on by it.

828 Sec. 27. Section 36a-215 of the general statutes, as amended by
829 section 6 of public act 01-183, is repealed and the following is
830 substituted in lieu thereof (*Effective from passage*):

831 If, in the opinion of the commissioner, a Connecticut bank
832 organized to function solely in a fiduciary capacity, or an uninsured
833 bank in danger of becoming insolvent, is not likely to be able to meet
834 the demands of its depositors, in the case of an uninsured bank, or pay
835 its obligations in the normal course of business, or is likely to incur
836 losses that may deplete all or substantially all of its capital, the
837 commissioner may require such Connecticut bank organized to
838 function solely in a fiduciary capacity or uninsured bank to keep assets
839 on deposit in an amount that would be sufficient to meet the costs and
840 expenses incurred by the commissioner pursuant to section 36a-223
841 and all fees and assessments due the commissioner. Such assets shall
842 be deposited with such bank as the commissioner may designate, and
843 shall be in such form and subject to such conditions as the
844 commissioner deems necessary. For purposes of this section,
845 "uninsured bank" has the meaning given to that term in subsection (t)
846 of section 36a-70.

847 Sec. 28. Subdivision (10) of section 36a-598 of the general statutes, as
848 amended by section 5 of public act 01-56, is repealed and the following
849 is substituted in lieu thereof (*Effective from passage*):

850 (10) A statement of whether the applicant will engage in the
851 business of issuing money orders, travelers checks [] or electronic
852 payment instruments or engage in the business of money transmission
853 in this state.

854 Sec. 29. Subdivision (1) of subsection (e) of section 36b-15 of the
855 general statutes, as amended by section 3 of public act 01-48, is
856 repealed and the following is substituted in lieu thereof (*Effective from*
857 *passage*):

858 (e) (1) Withdrawal from registration as a broker-dealer, agent,
859 investment adviser or investment adviser agent, or withdrawal of an
860 application for registration as a broker-dealer, agent, investment
861 adviser or investment adviser agent, becomes effective ninety days
862 after receipt of an application to withdraw such registration or a notice
863 of intent to withdraw such application for registration or within such
864 shorter period of time as the commissioner may determine, unless a
865 denial, revocation or suspension proceeding is pending when the
866 application or notice is filed or a proceeding to deny, revoke, suspend
867 or [to] impose conditions upon the withdrawal is instituted within
868 ninety days after the application or notice is filed. If a proceeding is
869 pending or instituted, withdrawal becomes effective at such time and
870 upon such conditions as the commissioner by order determines. If no
871 proceeding is pending or instituted and withdrawal automatically
872 becomes effective, the commissioner may nevertheless institute a
873 denial, revocation or suspension proceeding under subsection (a) of
874 this section within one year after withdrawal became effective.

875 Sec. 30. Subsection (e) of section 46a-84 of the general statutes is
876 repealed and the following is substituted in lieu thereof (*Effective from*
877 *passage*):

878 (e) A hearing officer, hearing adjudicator, human rights referee or
879 attorney who volunteers service pursuant to subdivision [(16)] (18) of
880 section 46a-54 may supervise settlement endeavors, or, in employment
881 discrimination cases only, the complainant and respondent, with the
882 permission of the commission, may engage in alternate dispute
883 resolution endeavors for not more than three months. The cost of such
884 alternate dispute resolution endeavors shall be borne by the
885 complainant or the respondent or both and not by the commission.
886 Any endeavors or negotiations for conciliation, settlement or alternate
887 dispute resolution shall not be received in evidence.

888 Sec. 31. Subsection (a) of section 46b-26 of the general statutes is
889 repealed and the following is substituted in lieu thereof (*Effective from*
890 *passage*):

891 (a) No license may be issued by any registrar until there has been
892 filed with [him] such registrar, for each applicant, a statement signed
893 by a physician licensed to practice medicine or osteopathy in any state
894 or territory of the United States, the District of Columbia or any
895 province of Canada, an advanced practice registered nurse licensed
896 pursuant to chapter 378, a nurse-midwife licensed pursuant to chapter
897 377 or a physician assistant [license] licensed pursuant to chapter 370,
898 or by a commissioned medical officer in the armed forces or the Public
899 Health Service of the United States, that the applicant has submitted to
900 a standard laboratory blood test, that, if the test was positive, the
901 person has submitted to a physical examination of the skin and
902 appropriate mucous membranes, and that, in the opinion of such
903 physician, advanced practice registered nurse, nurse-midwife or
904 physician assistant, the person is not infected with syphilis or in a
905 stage of that disease that is communicable.

906 Sec. 32. Subsection (e) of section 46b-115s of the general statutes, as
907 amended by section 16 of public act 01-186, is repealed and the
908 following is substituted in lieu thereof (*Effective from passage*):

909 (e) If a party under oath alleges in an affidavit [,] or a pleading or on
910 a form prescribed by the Office of the Chief Court Administrator that
911 the health, safety or liberty of a party or child would be jeopardized by
912 disclosure of location information, the information must be sealed and
913 shall not be disclosed to the other party or the public unless the court,
914 after a hearing, determines that it is in the interest of justice that such
915 disclosure be made. The party making such allegation shall (1) provide
916 obvious notice to the clerk of the court that such allegation is being
917 made; (2) not file location information that poses the risk unless
918 ordered by the court; (3) identify, in writing, documents previously
919 filed with the court that contain location information that poses the
920 risk; and (4) if, at the time the allegation is made, the party is not
921 represented by counsel in the proceeding, provide the clerk of the
922 court with a mailing address that may be disclosed to the public.
923 Except as otherwise provided by [court rule, obvious notice] rule of
924 court, "obvious notice", as used in this subsection, [shall mean] means

925 notice as provided on a form prescribed by the Office of the Chief
926 Court Administrator or a notice to the clerk of the court which is set
927 forth in the bottom margin of the first page of such filed document.

928 Sec. 33. Subsection (e) of section 46b-141 of the general statutes, as
929 amended by section 34 of public act 01-2 of the June special session, is
930 repealed and the following is substituted in lieu thereof (*Effective from*
931 *passage*):

932 (e) All other commitments of delinquent, mentally deficient or
933 mentally ill children by the court pursuant to the provisions of section
934 46b-140, as amended, may be for an indeterminate time. Commitments
935 may be reopened and terminated at any time by said court, provided
936 the Commissioner of Children and Families shall be given notice of
937 such proposed reopening and a reasonable opportunity to present the
938 commissioner's views thereon. The parents or guardian of such child
939 may apply not more than twice in any calendar year for such
940 reopening and termination of commitment. Any order of the court
941 made under the provisions of this section shall be deemed a final order
942 for purposes of appeal, except that no bond shall be required [nor] or
943 costs taxed on such appeal.

944 Sec. 34. Subdivision (4) of section 46b-212a of the general statutes, as
945 amended by section 8 of public act 01-91, is repealed and the following
946 is substituted in lieu thereof (*Effective from passage*):

947 (4) "Governor" means an individual performing the functions of
948 Governor or the executive authority of a state covered by sections 46b-
949 212 to [47b-213v] 46b-213v, inclusive, as amended.

950 Sec. 35. Section 47a-56a of the general statutes, as amended by
951 section 2 of public act 01-128, is repealed and the following is
952 substituted in lieu thereof (*Effective from passage*):

953 Whenever any order issued under the provisions of section 47a-53 [,
954 or section 47a-55,] or 47a-55 or under the provisions of any municipal
955 charter or special act or ordinance relating to the abatement of

956 nuisances in tenement houses is not complied with, or not so far
957 complied with as the appropriate authority finds reasonable, within
958 the time allowed, or whenever a landlord has not substantially
959 complied with the provisions of section 47a-7, the authority appointed
960 under the provisions of section 47a-56 [.] may apply to the superior
961 court for the judicial district where the property is situated for an order
962 requiring the owner and any mortgagees or lienors of record to show
963 cause why a receiver of rents, issues and profits should not be
964 appointed and why [said] such receiver should not remove or remedy
965 such condition and obtain a lien in favor of the municipality, having
966 priority with respect to all existing mortgages or liens, to secure
967 payment of the costs incurred by the receiver in removing or
968 remedying such condition. Such application shall contain: (1) [proof]
969 Proof by affidavit that an order of the proper authority has been issued
970 and served on the owner, mortgagees and lienors; (2) a statement that
971 a nuisance exists because a landlord has been in substantial
972 noncompliance with the provisions of section 47a-7 or a nuisance exists
973 that constitutes a fire hazard or a serious threat to life, health or safety
974 and that such nuisance continued to exist in such property after the
975 time fixed for the removal thereof in such order, and such statement
976 shall contain a description of the property and the conditions
977 constituting such nuisance; and (3) a brief description of the nature of
978 the work required to remove or remedy the condition and an estimate
979 as to the cost thereof.

980 Sec. 36. Subdivision (1) of subsection (b) of section 49-35a of the
981 general statutes, as amended by section 47 of public act 01-195, is
982 repealed and the following is substituted in lieu thereof (*Effective from*
983 *passage*):

984 (1) If the clerk, upon receipt of all the documents in duplicate, finds
985 them to be in proper form, the clerk shall fix a date for a hearing on the
986 application and sign the order of hearing and notice. An entry fee of
987 twenty dollars shall then be collected and a copy of the original
988 document shall be placed in the court file.

989 Sec. 37. Subsection (c) of section 49-55d of the general statutes, as
990 amended by section 49 of public act 01-195, is repealed and the
991 following is substituted in lieu thereof (*Effective from passage*):

992 (c) The owner or the owner's representative shall have thirty days
993 next succeeding the date the complaint is returnable to the proper
994 court to file an affidavit with the court controverting any material
995 allegations contained in the complaint and an affidavit that the owner
996 has a valid defense. The issues so raised shall be tried as all other
997 issues in the court. If the owner or the owner's legal representative
998 does not file the necessary affidavits, the lienor may make a motion for
999 judgment and order of sale which shall be heard on short calendar by
1000 the court having jurisdiction, which motion the court shall have the
1001 power to grant and the court shall order the sale of the vessel by the
1002 state marshal or other proper officer at public auction, subject to all
1003 prior encumbrances on file with the Secretary of the State, provided at
1004 least seven days prior to the sale, a notice of the time, place and
1005 purpose of the sale shall be published in a newspaper having general
1006 circulation where the vessel was located at the time of the attachment,
1007 and notice of same shall be sent by certified mail to the owner of the
1008 vessel at such owner's last-known place of residence and to all other
1009 holders of valid security interests on file with the office of [said
1010 secretary] the Secretary of the State. The proceeds of the sale, after
1011 payment of all expenses connected with the sale and payment of any
1012 balance due on any valid security interest perfected before the vessel
1013 lien was filed, and satisfaction of the vessel lien and satisfaction of any
1014 valid security interest subsequent to the vessel lien presented for
1015 payment, shall be paid to the owner. If the amount due the owner is
1016 not claimed within one year from the date of such sale, it shall escheat
1017 to the state.

1018 Sec. 38. Subsection (c) of section 51-181c of the general statutes is
1019 repealed and the following is substituted in lieu thereof (*Effective from*
1020 *passage*):

1021 (c) Any person for whom prosecution is suspended and who is

1022 placed in the community service program pursuant to subdivisions (1)
1023 and (2) of subsection (a) of this section shall agree to the tolling of the
1024 statute of limitations with respect to such crime and to a waiver of [his]
1025 such person's right to a speedy trial. If the program monitor certifies to
1026 the court that such person successfully completed the community
1027 service program, the court shall make a finding of such satisfactory
1028 completion and dismiss the charges. If the program monitor certifies to
1029 the court that such person did not successfully complete the
1030 community service program to which [he] such person was assigned
1031 or is no longer [amendable] amenable to participate in such program,
1032 the court shall enter a plea of not guilty for such person and transfer
1033 the case to the regular criminal docket and immediately place the case
1034 on the trial list, except that cases accepted from the housing session
1035 pursuant to subdivision (2) of subsection (a) of this section shall be
1036 returned to the housing session.

1037 Sec. 39. Subsection (b) of section 52-321a of the general statutes, as
1038 amended by section 61 of public act 01-195, is repealed and the
1039 following is substituted in lieu thereof (*Effective from passage*):

1040 (b) Nothing in this section shall impair the rights of an alternate
1041 payee under a qualified domestic relations order, as defined in Section
1042 414(p) of the Internal Revenue Code of 1986, or any subsequent
1043 corresponding internal revenue code of the United States, as from time
1044 to time amended. Nothing in this section or in subsection (m) of
1045 section 52-352b shall impair the rights of the state to proceed under
1046 section 52-361a to recover the costs of incarceration from any federal,
1047 state or municipal pension, annuity or insurance contract or similar
1048 arrangement described in subdivision (5) of subsection (a) of this
1049 section, provided the rights of an alternate payee under a qualified
1050 domestic relations order, as defined in Section 414(p) of the Internal
1051 Revenue Code of 1986, or any subsequent corresponding internal
1052 revenue code of the United States, as from time to time amended, shall
1053 take precedence over any such recovery. Nothing in this section [nor]
1054 or in subsection (m) of section 52-352b shall impair the rights of a
1055 victim of crime to proceed under section 52-361a to recover damages

1056 awarded by a court of competent jurisdiction from any federal, state or
1057 municipal pension, annuity or insurance contract or similar
1058 arrangement described in subdivision (5) of subsection (a) of this
1059 section when such damages are the result of a crime committed by a
1060 participant or beneficiary of such pension, annuity or insurance
1061 contract or similar arrangement; provided the rights of an alternate
1062 payee under a qualified domestic relations order, as defined in Section
1063 414(p) of the Internal Revenue Code of 1986, or any subsequent
1064 corresponding internal revenue code of the United States, as from time
1065 to time amended, shall take precedence over any such recovery.

1066 Sec. 40. Subsection (d) of section 52-362f of the general statutes, as
1067 amended by section 25 of public act 01-91, is repealed and the
1068 following is substituted in lieu thereof (*Effective from passage*):

1069 (d) When a support order is issued in another jurisdiction and the
1070 obligor has income subject to withholding in accordance with the
1071 provisions of section 52-362, Support Enforcement Services shall, upon
1072 receiving a support order of another jurisdiction with the
1073 documentation specified in this subsection from an agency of another
1074 jurisdiction, or from an obligee, [and] an obligor or an attorney for
1075 either the obligee or obligor, file such support order and documents in
1076 the registry maintained by Support Enforcement Services.
1077 Documentation required for the entry of a support order for another
1078 jurisdiction for the purpose of withholding of income shall comply
1079 with the requirements of section 46b-213i. If the documentation
1080 received by Support Enforcement Services does not conform to those
1081 requirements, Support Enforcement Services shall remedy any defect
1082 which it can without the assistance of the obligee or requesting agency
1083 or person. If Support Enforcement Services is unable to make such
1084 corrections, the requesting agency or person shall immediately be
1085 notified of the necessary additions or corrections. Support
1086 Enforcement Services shall accept the documentation required by this
1087 subsection so long as the substantive requirements of this subsection
1088 are met.

1089 Sec. 41. Subsection (h) of section 52-362f of the general statutes, as
1090 amended by section 25 of public act 01-91, is repealed and the
1091 following is substituted in lieu thereof (*Effective from passage*):

1092 (h) The agency or Support Enforcement Services, upon receiving a
1093 certified copy of any amendment or modification to a support order
1094 entered pursuant to subsection (d) of this section, shall file such
1095 certified copy with the clerk of Support Enforcement Services, and
1096 Support Enforcement Services shall amend or modify the order for
1097 withholding to conform to the modified support order.

1098 Sec. 42. Subsection (a) of section 53-206 of the general statutes is
1099 repealed and the following is substituted in lieu thereof (*Effective from*
1100 *passage*):

1101 (a) Any person who carries upon [one's] his or her person any BB.
1102 gun, blackjack, metal or brass knuckles, or any dirk knife, or any
1103 switch knife, or any knife having an automatic spring release device by
1104 which a blade is released from the handle, having a blade of over one
1105 and one-half inches in length, or stiletto, or any knife the edged
1106 portion of the blade of which is four inches or over in length, any
1107 police baton or nightstick, or any martial arts weapon or electronic
1108 defense weapon, as defined in section 53a-3, as amended, or any other
1109 dangerous or deadly weapon or instrument, shall be fined not more
1110 than five hundred dollars or imprisoned not more than three years, or
1111 both. Whenever any person is found guilty of a violation of this
1112 section, any weapon or other instrument within the provisions of this
1113 section, found upon the body of such person, shall be forfeited to the
1114 municipality wherein such person was apprehended, notwithstanding
1115 any failure of the judgment of conviction to expressly impose such
1116 forfeiture.

1117 Sec. 43. Subsection (c) of section 53-344 of the general statutes, as
1118 amended by section 2 of public act 01-92, is repealed and the following
1119 is substituted in lieu thereof (*Effective from passage*):

1120 (c) Any person under eighteen years of age who purchases or

1121 misrepresents such person's age to purchase tobacco in any form shall
1122 be fined not more than fifty dollars for the first offense and not less
1123 than fifty dollars [nor] or more than one hundred dollars for each
1124 subsequent offense.

1125 Sec. 44. Subsection (a) of section 53a-167c of the general statutes, as
1126 amended by section 13 of public act 01-84, is repealed and the
1127 following is substituted in lieu thereof (*Effective from passage*):

1128 (a) A person is guilty of assault of public safety or emergency
1129 medical personnel when, with intent to prevent a reasonably
1130 identifiable peace officer, firefighter or employee of an emergency
1131 medical service organization, as defined in section 53a-3, emergency
1132 room physician or nurse, employee of the Department of Correction,
1133 employee or member of the Board of Parole, probation officer,
1134 employee of the judicial branch assigned to provide pretrial secure
1135 detention and programming services to juveniles accused of the
1136 commission of a delinquent act or employee of the Department of
1137 Children and Families assigned to provide direct services to children
1138 and youth in the care or custody of the department from performing
1139 his or her duties, and while such peace officer, [fireman] firefighter,
1140 employee, physician, nurse, member or probation officer is acting in
1141 the performance of his or her duties, (1) such person causes physical
1142 injury to such peace officer, firefighter, employee, physician, nurse,
1143 member or probation officer, or (2) such person throws or hurls, or
1144 causes to be thrown or hurled, any rock, bottle, can or other article,
1145 object or missile of any kind capable of causing physical harm, damage
1146 or injury, at such peace officer, firefighter, employee, physician, nurse,
1147 member or probation officer, or (3) such person uses or causes to be
1148 used any mace, tear gas or any like or similar deleterious agent against
1149 such peace officer, firefighter, employee, physician, nurse, member or
1150 probation officer, or (4) such person throws or hurls, or causes to be
1151 thrown or hurled, any paint, dye or other like or similar staining,
1152 discoloring or coloring agent or any type of offensive or noxious
1153 liquid, agent or substance at such peace officer, firefighter, employee,
1154 physician, nurse, member or probation officer, or (5) such person

1155 throws or hurls, or causes to be thrown or hurled, any bodily fluid
1156 including, but not limited to, urine, feces, blood or saliva at such peace
1157 officer, firefighter, employee, physician, nurse, member or probation
1158 officer.

1159 Sec. 45. Subsection (a) of section 54-142c of the general statutes is
1160 repealed and the following is substituted in lieu thereof (*Effective from*
1161 *passage*):

1162 (a) The clerk of the court or any person charged with retention and
1163 control of erased records by the Chief Court Administrator or any
1164 criminal justice agency having information contained in such erased
1165 records shall not disclose to anyone the existence of such erased
1166 [record] records or information pertaining to any charge erased under
1167 any provision of this part, [I of this chapter,] except as otherwise
1168 provided in this chapter.

1169 Sec. 46. Section 5 of public act 01-121 is repealed and the following is
1170 substituted in lieu thereof (*Effective from passage*):

1171 Not later than July 1, 2004, the State Prevention Council shall submit
1172 to the Secretary of the Office of Policy and Management and the joint
1173 standing committee of the General Assembly having cognizance of
1174 matters relating to appropriations its recommendations concerning the
1175 potential expansion, including potential use of benchmarks, or
1176 termination of the State Prevention Council pursuant to section 2c-12.

1177 Sec. 47. Subsection (a) of section 2 of public act 01-130 is repealed
1178 and the following is substituted in lieu thereof (*Effective from passage*):

1179 (a) [(1)] For purposes of this section: [, "armor piercing .50 caliber
1180 bullet"]

1181 (1) "Armor piercing .50 caliber bullet" means any .50 caliber bullet
1182 that is (A) designed for the purpose of, (B) held out by the
1183 manufacturer or distributor as, or (C) generally recognized as having a
1184 specialized capability to penetrate armor or bulletproof glass,

1185 including, but not limited to, such bullets commonly designated as
1186 "M2 Armor-Piercing" or "AP", "M8 Armor-Piercing Incendiary" or
1187 "API", "M20 Armor-Piercing Incendiary Tracer" or "APIT", "M903
1188 Caliber .50 Saboted Light Armor Penetrator" or "SLAP", or "M962
1189 Saboted Light Armor Penetrator Tracer" or "SLAPT".

1190 (2) "Incendiary .50 caliber bullet" means any .50 caliber bullet that is
1191 (A) designed for the purpose of, (B) held out by the manufacturer or
1192 distributor as, or (C) generally recognized as having a specialized
1193 capability to ignite upon impact, including, but not limited to, such
1194 bullets commonly designated as "M1 Incendiary", "M23 Incendiary",
1195 "M8 Armor-Piercing Incendiary" or "API", or "M20 Armor-Piercing
1196 Incendiary Tracer" or "APIT".

1197 Sec. 48. Subsection (b) of section 1 of public act 01-168 is repealed
1198 and the following is substituted in lieu thereof (*Effective from passage*):

1199 (b) Within available appropriations, the Department of
1200 Administrative Services shall establish procedures that promote, to the
1201 greatest extent feasible, the procurement and use of recycled products
1202 and environmentally preferable products and services by state
1203 agencies. The department shall: (1) Designate environmentally
1204 preferable products, taking into consideration the raw materials
1205 acquisition, production, manufacturing, packaging, distribution, reuse,
1206 operation, maintenance or disposal aspects of [the product] such
1207 products, and establish minimum standards and specifications for
1208 their procurement and use; (2) when feasible, include the use of
1209 environmentally preferable products and services as a criteria in a
1210 multiple criteria bid or an evaluation factor in requests for proposals;
1211 and (3) consider the use of environmentally preferable business
1212 practices when reviewing the overall performance of a bidder or
1213 proposer's business operation. Such procedures shall not be considered
1214 ["regulations"] regulations, as defined in section 4-166.

1215 Sec. 49. Section 29 of public act 01-175 is repealed and the following
1216 is substituted in lieu thereof (*Effective from passage*):

1217 The chairperson of the Board of Parole shall (1) require each
1218 applicant for a position that will involve direct contact with inmates or
1219 parolees, or allow access to criminal history information, to state
1220 whether such person has ever been convicted of a crime or whether
1221 criminal charges are pending against such person at the time of such
1222 person's application, and (2) require each applicant to submit to state
1223 and national criminal history records checks. The criminal history
1224 records checks required pursuant to this section shall be conducted in
1225 accordance with section [28] 31 of [this act] public act 01-175.

1226 Sec. 50. Subsection (b) of section 4 of public act 01-193 is repealed
1227 and the following is substituted in lieu thereof (*Effective from passage*):

1228 (b) Not later than ninety days after the effective date of this section,
1229 the Office of Workforce Competitiveness, in consultation with the
1230 Commissioner of Higher Education and the [Board] Boards of Trustees
1231 of The University of Connecticut, the Community-Technical Colleges
1232 and the Connecticut State University System and at least three
1233 independent institutions of higher education in this state, shall
1234 establish written participation guidelines for the pilot program
1235 authorized under this section.

1236 Sec. 51. Section 5 of public act 01-193 is repealed and the following is
1237 substituted in lieu thereof (*Effective from passage*):

1238 (a) Within available appropriations for the fiscal year ending June
1239 30, 2002, the Office of Workforce Competitiveness, in consultation with
1240 the Department of Higher Education and the [Board] Boards of
1241 Trustees of The University of Connecticut, the Community-Technical
1242 Colleges and the Connecticut State University System, shall establish a
1243 pilot program that is designed to assist noninformation technology
1244 workers who demonstrate an aptitude in information technology to
1245 earn an information technology credential or degree at one of the
1246 constituent units of the state system of higher education.

1247 (b) Not later than ninety days after the effective date of this section,
1248 the Office of Workforce Competitiveness, in consultation with the

1249 Commissioner of Higher Education and the [Board] Boards of Trustees
1250 of The University of Connecticut, the Community-Technical Colleges
1251 and the Connecticut State University System, shall establish written
1252 participation guidelines for the pilot program authorized under this
1253 section.

1254 (c) Not later than January 1, 2002, the Office of Workforce
1255 Competitiveness shall submit a status report in accordance with the
1256 provisions of section 11-4a of the general statutes on the establishment
1257 and on any operation of the pilot program authorized under this
1258 section to the Connecticut Employment and Training Commission, the
1259 joint standing committees of the General Assembly having cognizance
1260 of matters relating to appropriations and education and to the select
1261 committee of the General Assembly having cognizance of matters
1262 relating to workforce development.

1263 Sec. 52. Section 7 of public act 01-193 is repealed and the following is
1264 substituted in lieu thereof (*Effective from passage*):

1265 (a) Within available appropriations, the Office of Workforce
1266 Competitiveness, in consultation with the Department of Higher
1267 Education and the [Board] Boards of Trustees of The University of
1268 Connecticut, the Community-Technical Colleges and the Connecticut
1269 State University System, shall establish a pilot program that is
1270 designed to provide information technology related internship and
1271 cooperative work-study programs at the constituent units of the state
1272 system of higher education.

1273 (b) Not later than ninety days after the effective date of this section,
1274 the Office of Workforce Competitiveness, in consultation with the
1275 Commissioner of Higher Education and the [Board] Boards of Trustees
1276 of The University of Connecticut, the Community-Technical Colleges
1277 and the Connecticut State University System, shall establish written
1278 participation guidelines for the pilot program authorized under this
1279 section.

1280 (c) Not later than January 1, 2002, the Office of Workforce

1281 Competitiveness shall submit a status report in accordance with the
1282 provisions of section 11-4a of the general statutes on the establishment
1283 and on any operation of the pilot program authorized under this
1284 section to the Connecticut Employment and Training Commission, the
1285 joint standing committees of the General Assembly having cognizance
1286 of matters relating to appropriations and education and to the select
1287 committee of the General Assembly having cognizance of matters
1288 relating to workforce development.

1289 Sec. 53. Subsection (c) of section 11 of public act 01-9 of the June
1290 special session is repealed and the following is substituted in lieu
1291 thereof (*Effective from passage*):

1292 (c) The additional fee paid to [court] the Superior Court pursuant to
1293 section 10 of [this act] public act 01-9 of the June special session and
1294 any fee collected pursuant to subsection (b) of this section, shall be
1295 deposited in the General Fund.

1296 Sec. 54. Subsection (a) of section 78 of public act 01-9 of the June
1297 special session is repealed and the following is substituted in lieu
1298 thereof (*Effective from passage*):

1299 (a) Notwithstanding [the provisions] any provision of the general
1300 statutes, any project that is eligible for state financial aid for demolition
1301 of buildings shall be eligible to apply for state financial aid under the
1302 same program such project was eligible for demolition for the costs of
1303 moving one or more buildings that are a part of such project from one
1304 location to another, provided (1) the subject buildings currently
1305 contain or will be renovated to contain one or more dwelling units per
1306 building, and (2) the total cost of relocating the subject buildings does
1307 not exceed by more than five per cent the total of all costs associated
1308 with the demolition of such buildings, including, but not limited to:
1309 The costs of preparing the buildings for [demolitions] demolition,
1310 including the costs of abatement of asbestos and other hazardous
1311 materials; the actual costs of taking the buildings down; the relocation
1312 of residents, including the costs of relocation assistance; utility

1313 relocation; environmental remediation after the buildings have been
1314 demolished; removal of the foundations; the filling of the site with
1315 clean fill; and any other costs associated with the demolition of the
1316 buildings or the return of the sites to a condition suitable for future
1317 development, provided any costs which would be incurred regardless
1318 of whether the subject buildings are moved or demolished shall not be
1319 included in such comparison in any way, and (3) the entity requesting
1320 state financial aid can demonstrate to the agency providing state
1321 financial aid the benefits to the neighborhood or municipality of
1322 preserving the character of the area by retaining the subject buildings.

1323 Sec. 55. Subsection (d) of section 1-80 of the general statutes is
1324 repealed and the following is substituted in lieu thereof (*Effective from*
1325 *passage*):

1326 (d) The commission shall elect a chairperson who shall, except as
1327 provided in subsection (b) of section 1-82 and subsection (b) of section
1328 1-93, preside at meetings of the commission and a vice-chairperson to
1329 preside in the absence of the chairperson. Five members of the
1330 commission shall constitute a quorum. Except as provided in
1331 subdivision (3) of subsection (a) of section 1-81, subsections (a) and (b)
1332 of section 1-82, subsection (b) of section 1-88, subdivision (5) of section
1333 1-92, subsections (a) and (b) of section 1-93 and subsection (b) of
1334 section 1-99, a majority vote of the quorum shall be required for action
1335 of the commission. The chairperson or any four members may call a
1336 meeting.

1337 Sec. 56. Section 5-212 of the general statutes is repealed and the
1338 following is substituted in lieu thereof (*Effective from passage*):

1339 No portion of an annual salary increase under section 5-210 shall be
1340 given which will result in a salary in excess of the salary range
1341 established for the employee's class of position. The amount of any
1342 lump-sum payments made in accordance with the provisions of
1343 [subsection (d) of] section 5-210 shall not be deemed an increase in
1344 salary.

1345 Sec. 57. Subdivision (3) of subsection (f) of section 14-164c of the
1346 general statutes, as amended by section 42 of public act 01-9 of the June
1347 special session, is repealed and the following is substituted in lieu
1348 thereof (*Effective from passage*):

1349 (3) No such licensee may be appointed by the commissioner nor
1350 may any such licensee conduct any inspection unless the licensee has
1351 in its employ one or more certified emissions inspectors and repair
1352 technicians. Such inspectors and technicians shall conduct all
1353 inspections and related emissions repair work [.] and shall meet the
1354 training and certification requirements in 40 CFR Part 51.367 [.] and of
1355 the regulations adopted by the commissioner in accordance with this
1356 subsection.

1357 Sec. 58. Subsection (g) of section 14-164c of the general statutes, as
1358 amended by section 42 of public act 01-9 of the June special session, is
1359 repealed and the following is substituted in lieu thereof (*Effective from*
1360 *passage*):

1361 (g) The independent contractor or contractors retained by the state
1362 in accordance with the provisions of subsection (e) of this section may
1363 conduct emissions inspections at one or more facilities owned or
1364 operated by a motor vehicle dealer or dealers, licensed in accordance
1365 with section 14-52. No such inspection facility located on the premises
1366 of a licensed dealer shall be operated without the prior approval of the
1367 commissioner. The operation of each such facility shall be subject to
1368 such procedures and requirements, to be followed by the contractor
1369 and the licensee, as may be prescribed by the terms and conditions of
1370 the contract entered into in accordance with the provisions of
1371 subsection (e) of this section, and in regulations as may be adopted by
1372 the commissioner in accordance with chapter 54. The state shall not be
1373 a party to, or assume or incur any liability of any kind under, any
1374 agreement entered into between the independent contractor and any
1375 dealer [.] in furtherance of the provisions of this subsection. The
1376 contract entered into by the state in accordance with the provisions of
1377 subsection (e) of this section shall provide for indemnification of the

1378 state with respect to the operation of any such inspection facility
1379 located at a motor vehicle dealership, in the same manner and to the
1380 same extent as the operation of an official emissions inspection station.

1381 Sec. 59. Subsection (a) of section 17a-4 of the general statutes, as
1382 amended by section 50 of public act 01-2 of the June special session, is
1383 repealed and the following is substituted in lieu thereof (*Effective from*
1384 *passage*):

1385 (a) There shall be a State Advisory Council on Children and
1386 Families which shall consist of seventeen members appointed by the
1387 Governor, including at least five persons who are child care
1388 professionals, one child psychiatrist licensed to practice medicine in
1389 this state and at least one attorney. The balance of the advisory council
1390 shall be representative of young persons, parents and others interested
1391 in the delivery of services to children and youth. No less than fifty per
1392 cent of the council's members shall be parents or family members of
1393 children who have received, or are receiving, behavioral health
1394 services, child welfare services or juvenile services and no more than
1395 half the members of the council shall be persons who receive income
1396 from a private practice or any public or private agency that delivers
1397 mental health, substance abuse, child abuse prevention and treatment,
1398 child welfare services or juvenile services. Members of the council shall
1399 serve without compensation, except for necessary expenses incurred in
1400 the performance of their duties. Members shall serve on the council for
1401 terms of two years each and no member shall serve for more than two
1402 consecutive terms. The commissioner shall be an ex-officio member of
1403 the council without vote and shall attend its meetings. Any member
1404 who fails to attend three consecutive meetings or fifty per cent of all
1405 meetings during any calendar year shall be deemed to have resigned.
1406 The council shall elect a chairperson and vice-chairperson to act in the
1407 chairperson's absence.

1408 Sec. 60. Subsection (b) of section 17a-4a of the general statutes, as
1409 amended by section 1 of public act 01-19, section 51 of public act 01-2
1410 of the June special session and section 93 of public act 01-9 of the June

1411 special session, is repealed and the following is substituted in lieu
1412 thereof (*Effective from passage*):

1413 (b) The Children's Behavioral Health Advisory Committee shall be
1414 composed of the following ex-officio voting members: (1) The
1415 Commissioner of Children and Families or the commissioner's
1416 designee; (2) the Commissioner of Social Services or the
1417 commissioner's designee; (3) the Executive Director of the Children's
1418 Health Council or [said] the director's designee; (4) the Chief Court
1419 Administrator or [said] the administrator's designee; (5) the
1420 Commissioner of Education or the commissioner's designee; (6) the
1421 Commissioner of Mental Health and Addiction Services or the
1422 commissioner's designee; (7) the Commissioner of Mental Retardation
1423 or the commissioner's designee; (8) the executive director of the Office
1424 of Protection and Advocacy for Persons with Disabilities or the
1425 director's designee; and the following public members: (A) Two
1426 members appointed by the Governor, one [member who] of whom
1427 shall be a parent of a child who receives behavioral health services and
1428 [the other] one of whom shall be a provider of behavioral health
1429 services; (B) [one member each] six members, one of whom shall be
1430 appointed by the president pro tempore of the Senate, one of whom
1431 shall be appointed by the speaker of the House of Representatives, one
1432 of whom shall be appointed by the majority leader of the Senate, one
1433 of whom shall be appointed by the majority leader of the House of
1434 Representatives, one of whom shall be appointed by the minority
1435 leader of the Senate and one of whom shall be appointed by the
1436 minority leader of the House of Representatives, and all of whom shall
1437 be knowledgeable on issues relative to children in need of behavioral
1438 health services and family supports; and (C) sixteen members
1439 appointed by the chairperson of the State Advisory Council on
1440 Children and Families. The membership of the advisory committee
1441 shall fairly and adequately represent parents of children who have a
1442 serious emotional disturbance. At least fifty-one per cent of the
1443 members of the advisory committee shall be persons who are parents
1444 or relatives of a child who has or had a serious emotional disturbance

1445 or persons who had a serious emotional disturbance as [a child]
1446 children and no more than half the members of the committee shall be
1447 persons who receive income from a private practice or any public or
1448 private agency that delivers behavioral health services.

1449 Sec. 61. Section 17a-18 of the general statutes, as amended by section
1450 40 of public act 01-2 of the June special session, is repealed and the
1451 following is substituted in lieu thereof (*Effective from passage*):

1452 The Commissioner of Children and Families may accept and receive
1453 on behalf of the department or any institution or facility thereof, or on
1454 behalf of the Children's Trust Fund or the Parent Trust Fund
1455 established pursuant to section 17a-50, subject to section 4b-22, any
1456 bequest, devise or grant made to the department or to any institution
1457 or facility thereof, or to [such] the Children's Trust Fund or the Parent
1458 Trust Fund, and may hold and use such property for the purpose
1459 specified in such bequest, devise or gift.

1460 Sec. 62. Subsection (a) of section 17a-22a of the general statutes, as
1461 amended by section 43 of public act 01-2 of the June special session, is
1462 repealed and the following is substituted in lieu thereof (*Effective from*
1463 *passage*):

1464 (a) The Commissioner of Social Services and the Commissioner of
1465 Children and Families shall, within available appropriations, develop
1466 and administer an integrated behavioral health service delivery system
1467 to be known as Connecticut Community KidCare. Said system shall
1468 provide services to children and youth with behavioral health needs
1469 who are in the custody of the Department of Children and Families,
1470 who are eligible to receive services from the HUSKY Plan, Part A or
1471 the federally subsidized portion of Part B, or receive services under the
1472 voluntary services program operated by the Department of Children
1473 and Families. All necessary changes to the IV-E, Title XIX and Title XXI
1474 state plans shall be made to maximize federal financial participation.
1475 The Commissioner of Social Services may amend the state Medicaid
1476 plan to facilitate the claiming of federal reimbursement for private

1477 nonmedical institutions as defined in the Social Security Act. The
1478 Commissioner of Social Services may implement policies and
1479 procedures necessary to provide reimbursement for the services
1480 provided by private nonmedical institutions, as defined in 42 CFR Part
1481 434, while in the process of adopting such policies and procedures in
1482 regulation form, provided the commissioner prints notice of intention
1483 to adopt the regulations in the Connecticut Law Journal within twenty
1484 days of implementing such policies and procedures. Policies and
1485 procedures implemented pursuant to this subsection [.] shall be valid
1486 until the time such regulations are effective.

1487 Sec. 63. Subsection (d) of section 17a-22a of the general statutes, as
1488 amended by section 43 of public act 01-2 of the June special session, is
1489 repealed and the following is substituted in lieu thereof (*Effective from*
1490 *passage*):

1491 (d) Said commissioners shall enter into a memorandum of
1492 understanding for the purpose of the joint administration of
1493 Connecticut Community KidCare. Such memorandum of
1494 understanding shall establish mechanisms to administer funding,
1495 establish standards for, and monitor implementation of, Connecticut
1496 Community KidCare and specify that (1) the Department of Social
1497 Services, which is the agency designated as the single state agency for
1498 the administration of the Medicaid program pursuant to Title XIX of
1499 the Social Security Act and is the agency responsible for the
1500 administration of the HUSKY Plan, Part B under Title XXI of the Social
1501 Security Act, manage all Medicaid and HUSKY Plan modifications,
1502 waiver amendments, federal reporting and claims processing and
1503 provide financial management, and (2) the Department of Children
1504 and Families, which is the state agency responsible for administering
1505 and evaluating a comprehensive and integrated state-wide program of
1506 services for children and youth with behavioral health needs, define
1507 the services to be included in the continuum of care and develop state-
1508 wide training programs for providers, families and other persons.

1509 Sec. 64. Subsection (a) of section 17a-50 of the general statutes, as

1510 amended by section 39 of public act 01-2 of the June special session, is
1511 repealed and the following is substituted in lieu thereof (*Effective from*
1512 *passage*):

1513 (a) There is established a Children's Trust Fund the resources of
1514 which shall be used by the council established pursuant to subsection
1515 (b) of this section [,] to fund programs aimed at preventing child abuse
1516 and neglect and family resource programs. Said fund is intended to be
1517 in addition to those resources that would otherwise be appropriated
1518 by the state for programs aimed at preventing child abuse and neglect
1519 and family resource programs. The Children's Trust Fund Council may
1520 apply for and accept any federal funds which are available for a
1521 Children's Trust Fund and shall administer such funds in the manner
1522 required by federal law. The fund shall receive money from grants and
1523 gifts made pursuant to section 17a-18. The Children's Trust Fund
1524 Council shall adopt regulations, in accordance with the provisions of
1525 chapter 54, to administer the fund and to set eligibility requirements
1526 for programs seeking funding. Youth service bureaus may receive
1527 funds from the Children's Trust Fund. The Parent Trust Fund,
1528 established pursuant to subsection (c) of this section, may receive
1529 funds directed to it through the Children's Trust Fund.

1530 Sec. 65. Subsection (b) of section 17a-460c of the general statutes is
1531 repealed and the following is substituted in lieu thereof (*Effective from*
1532 *passage*):

1533 (b) The agreements and other contractual arrangements identified in
1534 subsection (a) of this section may include plans and arrangements
1535 certified by the Department of Social Services, the Department of
1536 Mental Health and Addiction Services, or the federal [Health Care
1537 Financing Administration] Centers for Medicare and Medicaid
1538 Services, to provide services to Medicaid, Medicare, general assistance,
1539 Department of Mental Health and Addiction Services or [Health Care
1540 Financing Administration] Centers for Medicare and Medicaid
1541 Services beneficiaries, as well as private plans and arrangements
1542 satisfactory to the commissioner.

1543 Sec. 66. Section 17b-28d of the general statutes is repealed and the
1544 following is substituted in lieu thereof (*Effective from passage*):

1545 The Commissioner of Social Services, in consultation with the
1546 Commissioner of Education, shall submit to the [Health Care
1547 Financing Administration] Centers for Medicare and Medicaid
1548 Services an amendment to the state Medicaid plan required by Title
1549 XIX of the Social Security Act to enhance federal financial participation
1550 for Medicaid services provided to Medicaid enrolled children
1551 requiring special education pursuant to an individualized education
1552 plan. The amendment shall propose (1) the establishment of either a
1553 simplified cost-based or fixed fee method of determining state
1554 expenditures for eligible Medicaid services provided to such children,
1555 and (2) the replacement of the annual activity cost reports for all
1556 school-based child health services provided to such children. Any
1557 fixed fee established by the Department of Social Services shall be a per
1558 diem or monthly rate per child and shall reflect reimbursable
1559 administrative expenses.

1560 Sec. 67. Subsection (b) of section 17b-104 of the general statutes, as
1561 amended by section 55 of public act 01-2 of the June special session, is
1562 repealed and the following is substituted in lieu thereof (*Effective from*
1563 *passage*):

1564 (b) On July 1, 1988, and annually thereafter, the commissioner shall
1565 increase the payment standards over [that] those of the previous fiscal
1566 year under the aid to families with dependent children program,
1567 temporary family assistance program, the state-administered general
1568 assistance program and for the general assistance program by the
1569 percentage increase, if any, in the most recent calendar year average in
1570 the consumer price index for urban consumers over the average for the
1571 previous calendar year, provided the annual increase, if any, shall not
1572 exceed five per cent except that the payment standards for the fiscal
1573 years ending June 30, 1992, June 30, 1993, June 30, 1994, June 30, 1995,
1574 June 30, 1996, June 30, 1997, June 30, 1998, June 30, 1999, June 30, 2000,
1575 June 30, 2001, June 30, 2002, and June 30, 2003, shall not be increased.

1576 On January 1, 1994, the payment standards shall be equal to the
1577 standards of need in effect July 1, 1993.

1578 Sec. 68. Subsection (b) of section 17b-112e of the general statutes, as
1579 amended by section 57 of public act 01-2 of the June special session, is
1580 repealed and the following is substituted in lieu thereof (*Effective from*
1581 *passage*):

1582 (b) Said safety net shall consist of services provided through the
1583 existing community service delivery network with additional
1584 resources provided by the Department of Social Services. Services shall
1585 be provided in-kind or through vendor or voucher payment. Services
1586 may include the following: (1) Food, shelter, clothing and employment
1587 assistance; (2) eviction prevention; (3) intensive case management; (4)
1588 continuous monitoring for child abuse or neglect; and (5) for families
1589 at risk of losing benefits under the temporary family assistance
1590 program, individual performance contracts [.] that shall be
1591 administered by the Labor Department and that require job training,
1592 job searching, volunteer work, participation in parenting programs or
1593 counseling or any other requirements deemed necessary by the Labor
1594 Commissioner.

1595 Sec. 69. Subsection (a) of section 17b-253 of the general statutes is
1596 repealed and the following is substituted in lieu thereof (*Effective from*
1597 *passage*):

1598 (a) The Department of Social Services shall seek appropriate
1599 amendments to its Medicaid regulations and state plan to allow
1600 protection of resources and income pursuant to section 17b-252. Such
1601 protection shall be provided, to the extent approved by the federal
1602 [Health Care Financing Administration] Centers for Medicare and
1603 Medicaid Services, for any purchaser of a precertified long-term care
1604 policy and shall last for the life of the purchaser. Such protection shall
1605 be provided under the Medicaid program or its successor program.
1606 Any purchaser of a precertified long-term care policy shall be
1607 guaranteed coverage under the Medicaid program or its successor

1608 program, to the extent the individual meets all applicable eligibility
1609 requirements for the Medicaid program or its successor program. Until
1610 such time as eligibility requirements are prescribed for Medicaid's
1611 successor program, for the purposes of this subsection, the applicable
1612 eligibility requirements shall be the Medicaid program's requirements
1613 as of the date its successor program was enacted. The Department of
1614 Social Services shall count insurance benefit payments toward resource
1615 exclusion to the extent such payments (1) are for services paid for by a
1616 precertified long-term care policy; (2) are for the lower of the actual
1617 charge and the amount paid by the insurance company; (3) are for
1618 nursing home care, or formal services delivered to insureds in the
1619 community as part of a care plan approved by an access agency
1620 approved by the Office of Policy and Management and the
1621 Department of Social Services as meeting the requirements for such
1622 agency as defined in regulations adopted pursuant to subsection (e) of
1623 section 17b-342; and (4) are for services provided after the individual
1624 meets the coverage requirements for long-term care benefits
1625 established by the Department of Social Services for this program. The
1626 Commissioner of Social Services shall adopt regulations, in accordance
1627 with chapter 54, to implement the provisions of this subsection and
1628 sections 17b-251, 17b-252, 17b-254 and 38a-475 relating to determining
1629 eligibility of applicants for Medicaid, or its successor program, and the
1630 coverage requirements for long-term care benefits.

1631 Sec. 70. Subsection (a) of section 17b-281a of the general statutes is
1632 repealed and the following is substituted in lieu thereof (*Effective from*
1633 *passage*):

1634 (a) The Commissioner of Social Services shall extend the procedure
1635 in effect on October 1, 1998, for the preauthorization of the purchase or
1636 rental of new durable medical equipment and modification or repair of
1637 existing equipment to include services provided to Medicaid recipients
1638 who are also recipients of Medicare. The commissioner may enter into
1639 any necessary agreements with the [Health Care Financing
1640 Administration] Centers for Medicare and Medicaid Services to ensure
1641 the coordination of authorization and payment for durable medical

1642 equipment for such recipients.

1643 Sec. 71. Section 17b-291 of the general statutes is repealed and the
1644 following is substituted in lieu thereof (*Effective from passage*):

1645 The commissioner shall submit a state children's health insurance
1646 plan to implement the provisions of sections 17b-289 to 17b-303,
1647 inclusive, and section 16 of public act 97-1 of the October 29 special
1648 session* to the [Health Care Financing Administration] Centers for
1649 Medicare and Medicaid Services in accordance with the provisions of
1650 Subtitle J of Public Law 105-33. Such plan and any revisions thereto
1651 shall be submitted to the joint standing committees of the General
1652 Assembly having cognizance of matters relating to human services,
1653 public health, insurance and appropriations and the budgets of state
1654 agencies. Within thirty days of receipt of such plan or revisions
1655 thereto, said joint standing committees of the General Assembly may
1656 advise the commissioner of their approval, denial or modifications, if
1657 any, of the plan or any revisions thereto. If the joint standing
1658 committees do not concur, the committee chairmen shall appoint a
1659 committee on conference which shall be comprised of three members
1660 from each joint standing committee. At least one member appointed
1661 from each committee shall be a member of the minority party. The
1662 report of the committee on conference shall be made to each
1663 committee, which shall vote to accept or reject the report. The report of
1664 the committee on conference may not be amended. If a joint standing
1665 committee rejects the report of the committee on conference, the plan
1666 or revisions thereto shall be deemed approved. If the joint standing
1667 committees accept the report, the committee having cognizance of
1668 matters relating to appropriations and the budgets of state agencies
1669 shall advise the commissioner of their approval or modifications, if
1670 any, of the plan or revisions thereto, provided if the committees do not
1671 act within thirty days, the plan or revisions thereto shall be deemed
1672 approved.

1673 Sec. 72. Subsection (b) of section 17b-337 of the general statutes, as
1674 amended by section 1 of public act 01-119, is repealed and the

1675 following is substituted in lieu thereof (*Effective from passage*):

1676 (b) The Long-Term Care Planning Committee shall, within available
1677 appropriations, study issues relative to long-term care including, but
1678 not limited to, the case-mix system of Medicaid reimbursement,
1679 community-based service options, access to long-term care and
1680 geriatric psychiatric services. [Such] The committee shall evaluate
1681 issues relative to long-term care in light of the United States Supreme
1682 Court decision, *Olmstead v. L.C.*, 119 S. Ct. 2176 (1999), requiring
1683 states to place persons with disabilities in community settings rather
1684 than in institutions when such placement is appropriate, the transfer to
1685 a less restrictive setting is not opposed by such persons and such
1686 placement can be reasonably accommodated.

1687 Sec. 73. Subsections (g) and (h) of section 17b-340 of the general
1688 statutes, as amended by sections 38 and 62 of public act 01-2 of the
1689 June special session, are repealed and the following is substituted in
1690 lieu thereof (*Effective from passage*):

1691 (g) For the fiscal year ending June 30, 1993, any intermediate care
1692 facility for the mentally retarded with an operating cost component of
1693 its rate in excess of one hundred forty per cent of the median of
1694 operating cost components of rates in effect January 1, 1992, shall not
1695 receive an operating cost component increase. For the fiscal year
1696 ending June 30, 1993, any intermediate care facility for the mentally
1697 retarded with an operating cost component of its rate that is less than
1698 one hundred forty per cent of the median of operating cost
1699 components of rates in effect January 1, 1992, shall have an allowance
1700 for real wage growth equal to thirty per cent of the increase
1701 determined in accordance with subsection (q) of section 17-311-52 of
1702 the regulations of Connecticut state agencies, provided such operating
1703 cost component shall not exceed one hundred forty per cent of the
1704 median of operating cost components in effect January 1, 1992. Any
1705 facility with real property other than land placed in service prior to
1706 October 1, 1991, shall, for the fiscal year ending June 30, 1995, receive a
1707 rate of return on real property equal to the average of the rates of

1708 return applied to real property other than land placed in service for the
1709 five years preceding October 1, 1993. For the fiscal year ending June 30,
1710 1996, and any succeeding fiscal year, the rate of return on real property
1711 for property items shall be revised every five years. The commissioner
1712 shall, upon submission of a request, allow actual debt service,
1713 comprised of principal and interest, in excess of property costs allowed
1714 pursuant to section 17-311-52 of the regulations of Connecticut state
1715 agencies, provided such debt service terms and amounts are
1716 reasonable in relation to the useful life and the base value of the
1717 property. For the fiscal year ending June 30, 1995, and any succeeding
1718 fiscal year, the inflation adjustment made in accordance with
1719 subsection (p) of section 17-311-52 of the regulations of Connecticut
1720 state agencies [.] shall not be applied to real property costs. For the
1721 fiscal year ending June 30, 1996, and any succeeding fiscal year, the
1722 allowance for real wage growth, as determined in accordance with
1723 subsection (q) of section 17-311-52 of the regulations of Connecticut
1724 state agencies, shall not be applied. For the fiscal year ending June 30,
1725 1996, and any succeeding fiscal year, no rate shall exceed three
1726 hundred seventy-five dollars per day unless the commissioner, in
1727 consultation with the Commissioner of Mental Retardation,
1728 determines after a review of program and management costs, that a
1729 rate in excess of this amount is necessary for care and treatment of
1730 facility residents. For the fiscal year ending June 30, 2002, rate period,
1731 the Commissioner of Social Services shall increase the inflation
1732 adjustment for rates made in accordance with subsection (p) of section
1733 17-311-52 of the [Regulations of State Agencies] regulations of
1734 Connecticut state agencies to update allowable fiscal year 2000 costs to
1735 include a three and one-half per cent inflation factor. For the fiscal year
1736 ending June 30, 2003, rate period, the commissioner shall increase the
1737 inflation adjustment for rates made in accordance with subsection (p)
1738 of section 17-311-52 of the [Regulations of State Agencies] regulations
1739 of Connecticut state agencies to update allowable fiscal year 2001 costs
1740 to include a one and one-half per cent inflation factor.

1741 (h) For the fiscal year ending June 30, 1993, any residential care

1742 home with an operating cost component of its rate in excess of one
1743 hundred thirty per cent of the median of operating cost components of
1744 rates in effect January 1, 1992, shall not receive an operating cost
1745 component increase. For the fiscal year ending June 30, 1993, any
1746 residential care home with an operating cost component of its rate that
1747 is less than one hundred thirty per cent of the median of operating cost
1748 components of rates in effect January 1, 1992, shall have an allowance
1749 for real wage growth equal to sixty-five per cent of the increase
1750 determined in accordance with subsection (q) of section 17-311-52 of
1751 the regulations of Connecticut state agencies, provided such operating
1752 cost component shall not exceed one hundred thirty per cent of the
1753 median of operating cost components in effect January 1, 1992.
1754 Beginning with the fiscal year ending June 30, 1993, for the purpose of
1755 determining allowable fair rent, a residential care home with allowable
1756 fair rent less than the twenty-fifth percentile of the state-wide
1757 allowable fair rent shall be reimbursed as having allowable fair rent
1758 equal to the twenty-fifth percentile of the state-wide allowable fair
1759 rent. Beginning with the fiscal year ending June 30, 1997, a residential
1760 care home with allowable fair rent less than three dollars and ten cents
1761 per day shall be reimbursed as having allowable fair rent equal to
1762 three dollars and ten cents per day. Property additions placed in
1763 service during the cost year ending September 30, 1996, or any
1764 succeeding cost year shall receive a fair rent allowance for such
1765 additions as an addition to three dollars and ten cents per day if the
1766 fair rent for the facility for property placed in service prior to
1767 September 30, 1995, is less than or equal to three dollars and ten cents
1768 per day. For the fiscal year ending June 30, 1996, and any succeeding
1769 fiscal year, the allowance for real wage growth, as determined in
1770 accordance with subsection (q) of section 17-311-52 of the regulations
1771 of Connecticut state agencies, shall not be applied. For the fiscal year
1772 ending June 30, 1996, and any succeeding fiscal year, the inflation
1773 adjustment made in accordance with subsection (p) of section
1774 17-311-52 of the regulations of Connecticut state agencies shall not be
1775 applied to real property costs. Beginning with the fiscal year ending
1776 June 30, 1997, minimum allowable patient days for rate computation

1777 purposes for a residential care home with twenty-five beds or less shall
1778 be eighty-five per cent of licensed capacity. Beginning with the fiscal
1779 year ending June 30, 2002, for the purposes of determining the
1780 allowable salary of an administrator of a residential care home with
1781 sixty beds or less the department shall revise the allowable base salary
1782 to thirty-seven thousand dollars to be annually inflated thereafter in
1783 accordance with section 17-311-52 of the regulations of Connecticut
1784 state agencies. The rates for the fiscal year ending June 30, 2002, shall
1785 be based upon the increased allowable salary of an administrator,
1786 regardless of whether such amount was expended in the 2000 cost
1787 report period upon which the rates are based. Beginning with the fiscal
1788 year ending June 30, 2000, the inflation adjustment for rates made in
1789 accordance with subsection (p) of section 17-311-52 of the regulations
1790 of state agencies shall be increased by two per cent, and beginning
1791 with the fiscal year ending June 30, 2002, the inflation adjustment for
1792 rates made in accordance with subsection (c) of said section shall be
1793 increased by one per cent. Beginning with the fiscal year ending June
1794 30, 1999, for the purpose of determining the allowable salary of a
1795 related party, the department shall revise the maximum salary to
1796 twenty-seven thousand eight hundred fifty-six dollars to be annually
1797 inflated thereafter in accordance with section 17-311-52 of the
1798 regulations of Connecticut state agencies and beginning with the fiscal
1799 year ending June 30, 2001, such allowable salary shall be computed on
1800 an hourly basis and the maximum number of hours allowed for a
1801 related party other than the proprietor shall be increased from forty
1802 hours to forty-eight hours per work week.

1803 Sec. 74. Subsections (i) and (j) of section 17b-344 of the general
1804 statutes are repealed and the following is substituted in lieu thereof
1805 (*Effective from passage*):

1806 (i) The annual rate of return used by the commissioner in calculating
1807 the fair rental value allowance for proprietary facilities shall be one
1808 and one-half times the Medicare rate of return as set forth in the "Table
1809 Representing the Percentage Equal to One Times the Interest Rates for
1810 Proprietary Providers' Return on Equity Capital for Other Than

1811 Inpatient Hospitals" published by the Office of the Actuary within the
1812 [Health Care Financing Administration] Centers for Medicare and
1813 Medicaid Services. Said rate of return shall be adjusted in accordance
1814 with the regulations promulgated by the commissioner and in effect on
1815 April 1, 1989.

1816 (j) With respect to any initial interim rate established by the
1817 commissioner which is effective after January 1, 1990, and any
1818 adjustment to any such interim rate, wage and salary costs per patient
1819 day shall be limited to one hundred twenty-five per cent of the median
1820 wage and salary costs per patient day for the applicable rate year for
1821 facilities within the [Health Care Financing Administration] Centers
1822 for Medicare and Medicaid Services wage index region of the facility
1823 for which the interim rate is established, or such greater radius as may
1824 be necessary to include a minimum of five facilities in the calculation
1825 of such median. The one hundred twenty-five per cent limitation shall
1826 not affect the revised per diem rates or retroactive adjustments to
1827 interim rates computed pursuant to regulations promulgated by the
1828 commissioner and in effect on April 1, 1989.

1829 Sec. 75. Subdivision (3) of subsection (a) of section 17b-427 of the
1830 general statutes, as amended by section 1 of public act 01-39, is
1831 repealed and the following is substituted in lieu thereof (*Effective from*
1832 *passage*):

1833 (3) "Medicare organization" means any corporate entity or other
1834 organization or group that contracts with the federal [Health Care
1835 Financing Administration] Centers for Medicare and Medicaid
1836 Services to provide health care services to Medicare beneficiaries in
1837 this state as an alternative to the traditional Medicare fee-for-service
1838 plan.

1839 Sec. 76. Section 19a-670a of the general statutes is repealed and the
1840 following is substituted in lieu thereof (*Effective from passage*):

1841 The Department of Social Services shall promptly apply to the
1842 federal [Health Care Financing Administration] Centers for Medicare

1843 and Medicaid Services for any necessary federal approval or a federal
1844 determination that no such approval is needed with respect to the
1845 provisions of sections 12-263a and 19a-670.

1846 Sec. 77. Subsection (f) of section 22a-63 of the general statutes, as
1847 amended by section 6 of public act 01-204, is repealed and the
1848 following is substituted in lieu thereof (*Effective from passage*):

1849 (f) Any person who is not certified as a commercial applicator who
1850 performs or advertises or solicits to perform commercial application of
1851 a pesticide, or any person possessing an operational certificate for
1852 commercial application under section 22a-54 who performs or
1853 advertises or solicits to perform any activity requiring a supervisory
1854 certificate for commercial application shall be assessed a civil penalty
1855 in an amount not less than one thousand dollars [nor] or more than
1856 two thousand dollars for each day such violation continues. For any
1857 subsequent violation, such penalty shall be not more than five
1858 thousand dollars. The Attorney General, upon complaint of the
1859 commissioner, may institute a civil action to recover such penalty in
1860 the superior court for the judicial district of Hartford. Any penalties
1861 collected under this subsection shall be deposited in the
1862 Environmental Quality Fund established under section 22a-27g and
1863 shall be used by the commissioner to carry out the purposes of this
1864 section.

1865 Sec. 78. Subsection (d) of section 22a-120 of the general statutes is
1866 repealed and the following is substituted in lieu thereof (*Effective from*
1867 *passage*):

1868 (d) The assistant attorney general or the special assistant attorney
1869 general appointed pursuant to subsection [(c)] (d) of section 16-50n
1870 shall have supervision of legal matters concerning the council.

1871 Sec. 79. Subdivision (1) of section 22a-134 of the general statutes, as
1872 amended by section 15 of public act 01-204, is repealed and the
1873 following is substituted in lieu thereof (*Effective from passage*):

1874 (1) "Transfer of establishment" means any transaction or proceeding
1875 through which an establishment undergoes a change in ownership, but
1876 does not mean (A) conveyance or extinguishment of an easement, (B)
1877 conveyance of an establishment through a foreclosure, as defined in
1878 subsection (b) of section 22a-452f, (C) conveyance of a deed in lieu of
1879 foreclosure to a lender, as defined in and that qualifies for the secured
1880 lender exemption pursuant to subsection (b) of section 22a-452f, (D)
1881 conveyance of a security interest, as defined in subdivision (7) of
1882 subsection (b) of section 22a-452f, (E) termination of a lease and
1883 conveyance, assignment or execution of a lease for a period less than
1884 ninety-nine years including conveyance, assignment or execution of a
1885 lease with options or similar terms that will extend the period of the
1886 leasehold to ninety-nine years, or from the commencement of the
1887 leasehold, ninety-nine years, including conveyance, assignment or
1888 execution of a lease with options or similar terms that will extend the
1889 period of the leasehold to ninety-nine years, or from the [commence]
1890 commencement of the leasehold, (F) any change in ownership
1891 approved by the Probate Court, (G) devolution of title to a surviving
1892 joint tenant, or to a trustee, executor [,] or administrator under the
1893 terms of a testamentary trust or will, or by intestate succession, (H)
1894 corporate reorganization not substantially affecting the ownership of
1895 the establishment, (I) the issuance of stock or other securities of an
1896 entity which owns or operates an establishment, (J) the transfer of
1897 stock, securities or other ownership interests representing less than
1898 forty per cent of the ownership of the entity that owns or operates the
1899 establishment, (K) any conveyance of an interest in an establishment
1900 where the transferor is the sibling, spouse, child, parent, grandparent,
1901 child of a sibling or sibling of a parent of the transferee, (L) conveyance
1902 of an interest in an establishment to a trustee of an inter vivos trust
1903 created by the transferor solely for the benefit of one or more [of the]
1904 sibling, spouse, child, parent, grandchild, child of a sibling or sibling of
1905 a parent of the transferor, (M) any conveyance of a portion of a parcel
1906 upon which portion no establishment is or has been located and upon
1907 which there has not occurred a discharge, spillage, uncontrolled loss,
1908 seepage or filtration of hazardous waste, provided either the area of

1909 such portion is not greater than fifty per cent of the area of such parcel
1910 or written notice of such proposed conveyance and an environmental
1911 condition assessment form for such parcel is provided to the
1912 commissioner sixty days prior to such conveyance, (N) conveyance of
1913 a service station, as defined in subdivision (5) of this section, (O) any
1914 conveyance of an establishment which, prior to July 1, 1997, had been
1915 developed solely for residential use and such use has not changed, (P)
1916 any conveyance of an establishment to any entity created or operating
1917 under chapter 130 or 132, or to an urban rehabilitation agency, as
1918 defined in section 8-292, or to a municipality under section 32-224, or
1919 to the Connecticut Development Authority or any subsidiary of the
1920 authority, (Q) any conveyance of a parcel in connection with the
1921 acquisition of properties to effectuate the development of the overall
1922 project, as defined in section 32-651, (R) the conversion of a general or
1923 limited partnership to a limited liability company under section 34-199,
1924 (S) the transfer of general partnership property held in the names of all
1925 of its general partners to a general partnership which includes as
1926 general partners immediately after the transfer all of the same persons
1927 as were general partners immediately prior to the transfer, (T) the
1928 transfer of general partnership property held in the names of all of its
1929 general partners to a limited liability company which includes as
1930 members immediately after the transfer all of the same persons as were
1931 general partners immediately prior to the transfer, or (U) acquisition of
1932 an establishment by any governmental or quasi-governmental
1933 condemning authority.

1934 Sec. 80. Subdivision (11) of section 22a-134 of the general statutes, as
1935 amended by section 15 of public act 01-204, is repealed and the
1936 following is substituted in lieu thereof (*Effective from passage*):

1937 (11) "Form II" means a written certification by the transferor of an
1938 establishment on a form prescribed and provided by the commissioner
1939 that the parcel has been investigated in accordance with prevailing
1940 standards and guidelines and that (A) any pollution caused by a
1941 discharge, spillage, uncontrolled loss, seepage or filtration of
1942 hazardous waste or a hazardous substance which has occurred from

1943 the establishment has been remediated in accordance with the
1944 remediation standards and that the remediation has been approved in
1945 writing by the commissioner or has been verified pursuant to section
1946 22a-133x or section 22a-134a in a writing attached to such form by a
1947 licensed environmental professional to have been performed in
1948 accordance with the remediation standards, (B) the commissioner has
1949 determined in writing or a licensed environmental professional has
1950 verified pursuant to section 22a-133x or section 22a-134a in a writing
1951 attached to the form that no remediation is necessary to achieve
1952 compliance with the remediation standards, or (C) a Form IV was
1953 previously submitted to the commissioner and since the date of the
1954 submission of said Form IV, no discharge, spillage, uncontrolled loss,
1955 seepage or filtration of hazardous waste or a hazardous substance has
1956 occurred at the establishment, which certification is based on an
1957 investigation of the parcel in accordance with prevailing standards and
1958 guidelines.

1959 Sec. 81. Subdivision (21) of section 22a-134 of the general statutes, as
1960 amended by section 15 of public act 01-204, is repealed and the
1961 following is substituted in lieu thereof (*Effective from passage*):

1962 (21) "Business operation" means any business that has, or any series
1963 of substantially similar businesses that have, operated continuously or
1964 with only brief interruption on the same parcel, either with a single
1965 owner or successive owners.

1966 Sec. 82. Subdivision (24) of section 22a-134 of the general statutes, as
1967 amended by section 15 of public act 01-204, is repealed and the
1968 following is substituted in lieu thereof (*Effective from passage*):

1969 (24) "Hazardous substance" means hazardous substance, as defined
1970 in Section 101 of the Comprehensive Environmental Response,
1971 Compensation, and Liability Act of 1980, 42 USC [Section] 9601, or a
1972 petroleum product or by-product for which there are remediation
1973 standards adopted pursuant to section 22a-133k or for which such
1974 remediation standards have a process for calculating the numeric

1975 criteria of such substance.

1976 Sec. 83. Subsection (l) of section 22a-134a of the general statutes, as
1977 amended by section 16 of public act 01-204, is repealed and the
1978 following is substituted in lieu thereof (*Effective from passage*):

1979 (l) Notwithstanding any other provisions of this section, no person
1980 shall be required to comply with the provisions of sections 22a-134 to
1981 22a-134e, inclusive, when transferring real property (1) (A) for which a
1982 Form I or Form II has been filed for the transfer of the parcel on or after
1983 October 1, 1995, or (B) for which parcel a Form III or Form IV has been
1984 filed and which has been remediated and such remediation has been
1985 approved in writing by the commissioner or has been verified in
1986 writing in accordance with this section by a licensed environmental
1987 professional that an investigation has been performed in accordance
1988 with prevailing standards and guidelines and that the remediation has
1989 been performed in accordance with the remediation standards, and (2)
1990 at which no activities described in subdivision (3) of section 22a-134
1991 have been conducted since the date of such approval or verification or
1992 the date on which the Form I or Form II was filed.

1993 Sec. 84. Subsection (d) of section 22a-163j of the general statutes is
1994 repealed and the following is substituted in lieu thereof (*Effective from*
1995 *passage*):

1996 (d) The assistant attorney general or the special assistant attorney
1997 general appointed pursuant to subsection [(c)] (d) of section 16-50n
1998 shall have supervision of legal matters concerning the council.

1999 Sec. 85. Subdivision (24) of section 22a-207 of the general statutes, as
2000 amended by section 8 of public act 01-204, is repealed and the
2001 following is substituted in lieu thereof (*Effective from passage*):

2002 (24) "Wood-burning facility" means a facility, as defined in section
2003 16-50i, whose principal function is energy recovery from wood for
2004 commercial purposes. "Wood-burning facility" does not mean a
2005 biomass gasification plant that utilizes land clearing debris, tree

2006 stumps or other biomass that regenerates, or the use of which will not
2007 result in a depletion of resources.

2008 Sec. 86. Subsection (d) of section 22a-449d of the general statutes, as
2009 amended by section 38 of public act 01-9 of the June special session, is
2010 repealed and the following is substituted in lieu thereof (*Effective from*
2011 *passage*):

2012 (d) To the extent that funds are available in the residential
2013 underground heating oil storage tank system clean-up subaccount, the
2014 board may order payment from such subaccount to registered
2015 contractors for reimbursement of eligible costs for services associated
2016 with the remediation of a residential underground heating oil storage
2017 tank system prior to July 1, 2001, and to owners of such systems for
2018 payment for eligible costs incurred after July 1, 2001. No such payment
2019 shall be authorized unless the board deems the costs reasonable based
2020 on the guidelines established pursuant to subsection (c) of this section.

2021 Sec. 87. Subsection (c) of section 26-47 of the general statutes, as
2022 amended by section 1 of public act 01-204, is repealed and the
2023 following is substituted in lieu thereof (*Effective from passage*):

2024 (c) Any person who violates any provision of this section, or any
2025 condition under which a permit or license is issued, shall be fined not
2026 less than twenty-five dollars [nor] or more than two hundred dollars
2027 or be imprisoned not more than sixty days or be both fined and
2028 imprisoned; and any permit or license issued to such person, and all
2029 other such permits or licenses issued to any other person for such
2030 property, shall be revoked by the commissioner and the right to obtain
2031 such permit or license shall remain suspended for such period of time
2032 as the commissioner determines.

2033 Sec. 88. Subdivision (3) of subsection (s) of section 36a-70 of the
2034 general statutes is repealed and the following is substituted in lieu
2035 thereof (*Effective from passage*):

2036 (3) The state, acting through the State Treasurer, may be the sole

2037 organizer of a community development bank or may participate with
2038 any other person or persons in the organization of any community
2039 development bank, and may own all or a part of any capital stock of
2040 such bank. No application fee shall be required under subparagraph
2041 [(E)] (H) of subdivision (1) of subsection (d) of section 36a-65 and no
2042 franchise tax shall be required under subsection (o) of this section for
2043 any community development bank organized by or in participation
2044 with the state.

2045 Sec. 89. Subsection (b) of section 36a-352 of the general statutes is
2046 repealed and the following is substituted in lieu thereof (*Effective from*
2047 *passage*):

2048 (b) Such bank, in the absence of an express provision to the contrary
2049 in the instrument or court order creating such fiduciary relationship,
2050 may cause stocks and other securities held by it or in its custody as a
2051 fiduciary, whether alone or jointly with cofiduciaries, to be registered
2052 and held in the name of a nominee or nominees of such bank without
2053 mention of such fiduciary relationship, provided every cofiduciary of
2054 such fiduciary account shall give his prior written consent. A fiduciary
2055 shall retain possession of such stocks and other securities so held and
2056 shall maintain adequate records indicating the correct ownership
2057 thereof except that such bank may deposit stock or other securities so
2058 held in a clearing corporation, as defined in [subsection (3)]
2059 subdivision (5) of subsection (a) of section 42a-8-102. The fiduciary
2060 shall be personally liable for any loss occasioned by the acts of any
2061 nominee of such bank in connection with the holding of stock and
2062 other securities in the name of such nominee.

2063 Sec. 90. Subsection (b) of section 36a-770 of the general statutes, as
2064 amended by section 170 of public act 01-132, is repealed and the
2065 following is substituted in lieu thereof (*Effective from passage*):

2066 (b) Filing and recording. Section 42a-9-310, as amended, determines
2067 the need for filing or recording to perfect a security interest, section
2068 42a-9-317, as amended, the persons who take subject to an unperfected

2069 security interest, and section 42a-9-311, as amended, sections 42a-9-501
2070 to 42a-9-507, inclusive, as amended, and sections 79 to [89] 97,
2071 inclusive, of [this act] public act 01-132, the place for such filing or
2072 recording.

2073 Sec. 91. Subsection (c) of section 36a-771 of the general statutes is
2074 repealed and the following is substituted in lieu thereof (*Effective from*
2075 *passage*):

2076 (c) Retail installment contracts shall contain the following
2077 statements, printed in a size equal to at least ten-point bold type: (1) At
2078 the top of the contract, the words "RETAIL INSTALLMENT
2079 CONTRACT" or "RETAIL INSTALMENT CONTRACT"; (2) a definite
2080 statement that the insurance, if any, included in the retail installment
2081 sale provides or does not provide coverage for personal liability and
2082 property damage caused to others, as the case may be; (3) the
2083 following notice directly above the space reserved for the signature of
2084 the buyer: "NOTICE TO THE BUYER: 1. Do not sign this contract
2085 before you read it or if it contains any blank space. 2. You are entitled
2086 to a completely filled-in copy of the contract when you sign it. 3. Under
2087 the law, you have the following rights, among others: (a) To pay off in
2088 advance the full amount due and obtain a partial refund of any
2089 unearned finance charge; (b) to redeem the property if repossessed for
2090 a default; (c) to require, under certain conditions, a resale of the
2091 property if repossessed." [Until October 1, 1982, any retail seller may,
2092 at his option, use the notice required by the provisions of this section
2093 in effect prior to May 18, 1981.]

2094 Sec. 92. Subdivision (5) of subsection (a) of section 38a-193 of the
2095 general statutes is repealed and the following is substituted in lieu
2096 thereof (*Effective from passage*):

2097 (5) Each health care center that offers or proposes to offer out-of-
2098 network benefits shall either:

2099 (A) Enter into an agreement with a duly licensed insurance
2100 company to provide coverage to subscribers and enrollees outside of

2101 the health care center's established network, subject to approval by the
2102 commissioner; or

2103 (B) Implement an out-of-network benefit system to be operated by
2104 the health care center, subject to approval by the commissioner,
2105 provided the health care center establishes and maintains its net worth
2106 at an amount equal to the greater of (i) three million dollars, (ii) two
2107 per cent of its annual premium revenues as reported on the most
2108 recent annual financial statement filed with the commissioner on the
2109 first one hundred fifty million dollars of premium revenues plus one
2110 per cent of annual premium revenues in excess of one hundred fifty
2111 million dollars, or (iii) two months of its cost of uncovered
2112 expenditures. For purposes of this subsection, "annual premium
2113 revenues" does not include revenue earned as a result of an
2114 arrangement between a health care center and the federal [Health Care
2115 Financing Administration] Centers for Medicare and Medicaid
2116 Services, on a cost or risk basis, for services to a Medicare beneficiary,
2117 or revenue earned as a result of an arrangement between a health care
2118 center and a Medicaid state agency, for services to a Medicaid
2119 beneficiary. For the purposes of this subsection, the uncovered
2120 expenditures of the health care center for the requisite two-month
2121 period shall be calculated as follows:

$$(X + Y - Z)$$

$$UE = \square\square\square\square\square\square\square\square\square$$

6

2122 Where:

2123 UE = Uncovered expenditures of the health care center for the
2124 requisite two-month period.

2125 X = Total year-to-date uncovered expenditures reported in the
2126 health care center's most recent statutory quarterly or annual
2127 statement.

2128 Y = Total year-to-date uncovered expenditures reported in the
2129 health care center's annual statement for the prior calendar year.

2130 Z = Total year-to-date uncovered expenditures reported in the
2131 health care center's statutory quarterly or annual statement for the
2132 current calendar quarter of the prior calendar year.

2133 Sec. 93. Subsection (b) of section 45a-207 of the general statutes is
2134 repealed and the following is substituted in lieu thereof (*Effective from*
2135 *passage*):

2136 (b) A foreign corporation which is appointed to act in this state
2137 pursuant to the provisions of section 45a-206, owning stock as a
2138 trustee, may deposit or arrange for the deposit of such stock or other
2139 securities in a clearing corporation, as defined in [section 42a-8-102(3)]
2140 subdivision (5) of subsection (a) of section 42a-8-102, and may hold it
2141 in the name of a nominee, including the nominee of such clearing
2142 corporation, without mention of the trust in the stock certificate or
2143 stock registration book; provided (1) the trust records and all reports
2144 or accounts rendered by the trustee clearly show the ownership of the
2145 stock by the trustee and the facts regarding its holding; and (2) except
2146 for stock and other securities deposited in a clearing corporation, the
2147 nominee shall deposit with the trustee a signed statement showing the
2148 trust ownership, shall either endorse the stock certificate in blank or
2149 execute a power of attorney for transfer in blank, and shall not have
2150 possession of the stock certificate or access thereto except under the
2151 immediate supervision of the trustee. The trustee shall be personally
2152 liable for any loss to the trust resulting from any act of such nominee in
2153 connection with stock so held. If such foreign corporation is acting as
2154 trustee with one or more cotrustees, it shall secure, in advance, the
2155 consent, in writing, of such cotrustee or cotrustees to the registration of
2156 stock in the name of a nominee, and such cotrustees are authorized to
2157 consent thereto. [The word "trustee" as] As used in this section,
2158 "trustee" includes executors and testamentary trustees of the estates of
2159 any residents of this state or of any nonresidents leaving property
2160 within this state.

2161 Sec. 94. Subsection (a) of section 45a-208 of the general statutes is
2162 repealed and the following is substituted in lieu thereof (*Effective from*
2163 *passage*):

2164 (a) Notwithstanding any other provision of law, any fiduciary, as
2165 defined in [sections] subsection (a) of section 45a-233 and subdivision
2166 (2) [of subsection (a)] of section 36a-365, holding securities in its
2167 fiduciary capacity, or any state bank, trust company or national bank
2168 holding securities as a custodian, managing agent or custodian for a
2169 fiduciary, is authorized to deposit or arrange for the deposit of such
2170 securities in a clearing corporation, as defined in [subsection (3)]
2171 subdivision (5) of subsection (a) of section 42a-8-102. When such
2172 securities are so deposited, certificates representing securities of the
2173 same class of the same issuer may be merged and held in bulk in the
2174 name of the nominee of such clearing corporation with any other such
2175 securities deposited in such clearing corporation by any person
2176 regardless of the ownership of such securities, and certificates of small
2177 denomination may be merged into one or more certificates of larger
2178 denomination. The records of such fiduciary and the records of such
2179 state bank, trust company or national bank acting as a custodian, [as]
2180 managing agent or [as] custodian for a fiduciary shall at all times show
2181 the name of the party for whose account the securities are so
2182 deposited. Title to such securities may be transferred by bookkeeping
2183 entry on the books of such clearing corporation without physical
2184 delivery of certificates representing such securities. A state bank, trust
2185 company or national bank so depositing securities pursuant to this
2186 section shall be subject to [the] such rules and regulations as, in the
2187 case of state chartered institutions, the [state] Commissioner of
2188 Banking, and in the case of national banking associations, the
2189 Comptroller of the Currency, may from time to time issue. A state
2190 bank, trust company or national bank, acting as custodian for a
2191 fiduciary, shall, on demand by the fiduciary, certify in writing to the
2192 fiduciary the securities so deposited by such state bank, trust company
2193 or national bank in such clearing corporation for the account of such
2194 fiduciary. A fiduciary shall, on demand by any party to a judicial

2195 proceeding for the settlement of such fiduciary's account or on
2196 demand by the attorney for such party, certify in writing to such party
2197 the securities deposited by such fiduciary in such clearing corporation
2198 for its account as such fiduciary.

2199 Sec. 95. Section 49-8 of the general statutes is repealed and the
2200 following is substituted in lieu thereof (*Effective from passage*):

2201 (a) The mortgagee or a person authorized by law to release the
2202 mortgage shall execute and deliver a release to the extent of the
2203 satisfaction tendered before or against receipt of the release: (1) Upon
2204 the satisfaction of the mortgage; [or] (2) upon a bona fide offer to
2205 satisfy the [same] mortgage in accordance with the terms of the
2206 mortgage deed upon the execution of a release; [, or] (3) when the
2207 parties in interest have agreed in writing to a partial release of the
2208 mortgage where that part of the property securing the partially
2209 satisfied mortgage is sufficiently definite and certain; [,] or (4) when
2210 the mortgagor has made a bona fide offer in accordance with the terms
2211 of the mortgage deed for such partial satisfaction on the execution of
2212 such partial release.

2213 (b) The plaintiff or the plaintiff's attorney shall execute and deliver a
2214 release when an attachment has become of no effect pursuant to
2215 section 52-322 or section 52-324 or when a lis pendens or other lien has
2216 become of no effect pursuant to section 52-326.

2217 (c) The mortgagee or plaintiff or the plaintiff's attorney, as the case
2218 may be, shall execute and deliver a release within sixty days from the
2219 date a written request for a release of such encumbrance (1) was sent to
2220 such mortgagee, plaintiff or plaintiff's attorney at the person's last-
2221 known address by registered or certified mail, postage prepaid, return
2222 receipt requested; or (2) was received by such mortgagee, plaintiff or
2223 plaintiff's attorney from a private messenger or courier service or
2224 through any means of communication, including electronic
2225 communication, reasonably calculated to give the person the written
2226 request or a copy of it. The mortgagee or plaintiff shall be liable for

2227 damages to any person aggrieved at the rate of two hundred dollars
2228 for each week after the expiration of such sixty days up to a maximum
2229 of five thousand dollars or in an amount equal to the loss sustained by
2230 such aggrieved person as a result of the failure of the mortgagee or
2231 plaintiff or the plaintiff's attorney to execute and deliver a release,
2232 whichever is greater, plus costs and reasonable attorney's fees.

2233 Sec. 96. Section 49-8a of the general statutes is repealed and the
2234 following is substituted in lieu thereof (*Effective from passage*):

2235 (a) For the purposes of this section and section 49-10a:

2236 (1) "Mortgage loan" means a loan secured by a mortgage on one,
2237 two, three or four family residential real property located in [the state
2238 of Connecticut] this state, including, but not limited to, a residential
2239 unit in any common interest community, as defined in section 47-202.

2240 (2) "Person" means an individual, corporation, limited liability
2241 company, business trust, estate, trust, partnership, association, joint
2242 venture, government, governmental subdivision or agency, or other
2243 legal or commercial entity.

2244 (3) "Mortgagor" means the grantor of a mortgage.

2245 (4) "Mortgagee" means the grantee of a mortgage, [;] provided [,] (A)
2246 if the mortgage has been assigned of record, "mortgagee" means the
2247 last person to whom the mortgage has been assigned of record, [;
2248 provided further,] and (B) if the mortgage has been serviced by a
2249 mortgage servicer, "mortgagee" means the mortgage servicer.

2250 (5) "Mortgage servicer" means the last person to whom the
2251 mortgagor has been instructed by the mortgagee to send payments of
2252 the mortgage loan. The person who has transmitted a payoff statement
2253 shall be deemed to be the mortgage servicer with respect to the
2254 mortgage loan described in that payoff statement.

2255 (6) "Attorney-at-law" means any person admitted to practice law in
2256 this state and in good standing.

2257 (7) "Title insurance company" means any corporation or other
2258 business entity authorized and licensed to transact the business of
2259 insuring titles to interests in real property in this state.

2260 (8) "Payoff statement" means a statement of the amount of the
2261 unpaid balance on a mortgage loan, including principal, interest and
2262 other charges properly assessed pursuant to the loan documentation of
2263 such mortgage and a statement of the interest on a per diem basis with
2264 respect to the unpaid principal balance of the mortgage loan.

2265 (b) If a mortgagee fails to execute and deliver a release of mortgage
2266 to the mortgagor or to the mortgagor's designated agent within sixty
2267 days from receipt by the mortgagee of payment of the mortgage loan
2268 (1) in accordance with the payoff statement furnished by the
2269 mortgagee, or (2) if no payoff statement was provided pursuant to a
2270 request made under section 49-10a, in accordance with a good faith
2271 estimate by the mortgagor of the amount of the unpaid balance on the
2272 mortgage loan using (A) a statement from the mortgagee indicating
2273 the outstanding balance due as of a date certain, and (B) a reasonable
2274 estimate of the per diem interest and other charges due, any attorney-
2275 at-law or duly authorized officer of a title insurance company may, on
2276 behalf of the mortgagor or any successor in interest to the mortgagor
2277 who has acquired title to the premises described in the mortgage or
2278 any portion thereof, execute and cause to be recorded in the land
2279 records of each town where the mortgage was recorded, an affidavit
2280 which complies with the requirements of this section.

2281 (c) An affidavit pursuant to this section shall state that:

2282 (1) The affiant is an attorney-at-law or the authorized officer of a
2283 title insurance company, and that the affidavit is made in behalf of and
2284 at the request of the mortgagor or the current owner of the interest
2285 encumbered by the mortgage;

2286 (2) The mortgagee has provided a payoff statement with respect to
2287 the mortgage loan or the mortgagee has failed to provide a payoff
2288 statement requested pursuant to section 49-10a;

2289 (3) The affiant has ascertained that the mortgagee has received
2290 payment of the mortgage loan (A) in accordance with the payoff
2291 statement, or (B) in the absence of a payoff statement requested
2292 pursuant to section 49-10a, in accordance with a good faith estimate by
2293 the mortgagor of the amount of the unpaid balance on the mortgage
2294 loan calculated in accordance with subdivision (2) of subsection (b) of
2295 this section, as evidenced by a bank check, certified check, attorney's
2296 clients' funds account check or title insurance company check, which
2297 has been negotiated by the mortgagee or by other documentary
2298 evidence of such receipt of payment by the mortgagee, including a
2299 confirmation of a wire transfer;

2300 (4) More than sixty days have elapsed since payment was received
2301 by the mortgagee; and

2302 (5) At least fifteen days prior to the date of the affidavit, the affiant
2303 has given the mortgagee written notice by registered or certified mail,
2304 postage prepaid, return receipt requested, of intention to execute and
2305 cause to be recorded an affidavit in accordance with this section, with a
2306 copy of the proposed affidavit attached to such written notice; and that
2307 the mortgagee has not responded in writing to such notification, or
2308 that any request for additional payment made by the mortgagee has
2309 been complied with at least fifteen days prior to the date of the
2310 affidavit.

2311 (d) Such affidavit shall state the names of the mortgagor and the
2312 mortgagee, the date of the mortgage, and the volume and page of the
2313 land records where the mortgage is recorded. The affidavit shall
2314 provide similar information with respect to every recorded assignment
2315 of the mortgage.

2316 (e) The affiant shall attach to the affidavit (1) photostatic copies of
2317 the documentary evidence that payment has been received by the
2318 mortgagee, including the mortgagee's endorsement of any bank check,
2319 certified check, attorney's clients' funds account check, title insurance
2320 company check, or confirmation of a wire transfer, and (2) (A) a

2321 photostatic copy of the payoff statement, or (B) in the absence of a
2322 payoff statement requested pursuant to section 49-10a, a copy of a
2323 statement from the mortgagee that is in the possession of the
2324 mortgagor indicating the outstanding balance due on the mortgage
2325 loan as of a date certain and a statement setting out the mortgagor's
2326 basis for the estimate of the amount due, and shall certify on each that
2327 it is a true copy of the original document.

2328 (f) Such affidavit, when recorded, shall constitute a release of the
2329 lien of such mortgage or the property described therein.

2330 (g) The town clerk shall index the affidavit in the name of the
2331 original mortgagee and the last assignee of the mortgage appearing of
2332 record as the grantors, and in the name of the mortgagors and the
2333 current record owner of the property as grantees.

2334 (h) Any person who causes an affidavit to be recorded in the land
2335 records of any town in accordance with this section having actual
2336 knowledge that the information and statements therein contained are
2337 false shall be fined not more than five thousand dollars or imprisoned
2338 not less than one year [nor] or more than five years, or both.

2339 Sec. 97. Subsection (a) of section 52-143 of the general statutes is
2340 repealed and the following is substituted in lieu thereof (*Effective from*
2341 *passage*):

2342 (a) Subpoenas for witnesses shall be signed by the clerk of the court
2343 or a commissioner of the Superior Court and shall be served by an
2344 officer, indifferent person or, in any criminal case in which a defendant
2345 is represented by a public defender or special assistant public
2346 defender, by an investigator of the Division of Public Defender
2347 Services. The subpoena shall be served not less than eighteen hours
2348 prior to the time designated for the person summoned to appear,
2349 unless the court orders otherwise.

2350 Sec. 98. Section 52-237 of the general statutes is repealed and the
2351 following is substituted in lieu thereof (*Effective from passage*):

2352 In any action for a libel, the defendant may give proof of intention;
2353 and unless the plaintiff proves either malice in fact or that the
2354 defendant, after having been requested by [him] the plaintiff in writing
2355 to retract the libelous charge, in as public a manner as that in which it
2356 was made, failed to do so within a reasonable time, [he] the plaintiff
2357 shall recover [nothing but] only such actual damage as [he] the
2358 plaintiff may have specially alleged and proved.

2359 Sec. 99. Section 54-1c of the general statutes is repealed and the
2360 following is substituted in lieu thereof (*Effective from passage*):

2361 Any admission, confession or statement, written or oral, obtained
2362 from an accused person who has not been presented to the first session
2363 of the court, or on the day specified for arraignment under the
2364 provisions of section 54-1g, or who has not been informed of [his] such
2365 person's rights as provided by section 54-1b or [section] 54-64b, shall
2366 be inadmissible.

2367 Sec. 100. Subsection (a) of section 7 of public act 01-137 is repealed
2368 and the following is substituted in lieu thereof (*Effective from passage*):

2369 (a) To the extent permitted by federal law, the Commissioners of
2370 Social Services and Education shall jointly establish procedures for the
2371 sharing of information contained in applications for free and reduced
2372 price meals under the National School Lunch Program for the purpose
2373 of determining whether children participating in [such] said program
2374 are eligible for coverage under the HUSKY Plan, Part A and Part B.
2375 The Commissioner of Social Services shall take all actions necessary to
2376 ensure that children identified as eligible for the HUSKY Plan are able
2377 to enroll in [such] said plan.

2378 Sec. 101. Subdivision (1) of subsection (c) of section 4 of public act
2379 01-180 is repealed and the following is substituted in lieu thereof
2380 (*Effective from passage*):

2381 (c) (1) Not later than March thirty-first, annually, the commissioner
2382 shall audit the performance of each publicly-owned treatment works

2383 operating from January first to December thirty-first of the preceding
 2384 year and shall (A) determine the number of equivalent nitrogen credits
 2385 for sale and the number of equivalent nitrogen credits to be purchased,
 2386 (B) publish the annual value of equivalent nitrogen credits as
 2387 determined by the procedure established in section 8 of [this act]
 2388 public act 01-180, and (C) notify each publicly-owned treatment works
 2389 of [their] its equivalent nitrogen credit balance.

2390 Sec. 102. Section 47 of public act 01-2 of the June special session is
 2391 repealed and the following is substituted in lieu thereof (*Effective from*
 2392 *passage*):

2393 The Commissioner of Children and Families may, within available
 2394 appropriations, provide financial assistance for the establishment of an
 2395 organization, with local chapters in each region served by the
 2396 Department of Children and Families, that shall provide family-to-
 2397 family support and family advocates for children, youth and their
 2398 families, and when requested by the family, assist the family with the
 2399 individual service plan process and otherwise encourage active family
 2400 participation in treatment and Connecticut Community KidCare
 2401 planning. Such organization shall assure that families have input into
 2402 the development and implementation of their individual service plans,
 2403 including those established pursuant to section 17a-127, as amended
 2404 by [this act,] public act 01-2 of the June special session, and into policy
 2405 and planning for, and the implementation and evaluation of,
 2406 Connecticut Community KidCare.

This act shall take effect as follows:	
Section 1	<i>from passage</i>
Sec. 2	<i>from passage</i>
Sec. 3	<i>from passage</i>
Sec. 4	<i>from passage</i>
Sec. 5	<i>from passage</i>
Sec. 6	<i>from passage</i>
Sec. 7	<i>from passage</i>
Sec. 8	<i>from passage</i>

Sec. 9	<i>from passage</i>
Sec. 10	<i>from passage</i>
Sec. 11	<i>from passage</i>
Sec. 12	<i>from passage</i>
Sec. 13	<i>from passage</i>
Sec. 14	<i>from passage</i>
Sec. 15	<i>from passage</i>
Sec. 16	<i>from passage</i>
Sec. 17	<i>from passage</i>
Sec. 18	<i>from passage</i>
Sec. 19	<i>from passage</i>
Sec. 20	<i>from passage</i>
Sec. 21	<i>from passage</i>
Sec. 22	<i>from passage</i>
Sec. 23	<i>from passage</i>
Sec. 24	<i>from passage</i>
Sec. 25	<i>from passage</i>
Sec. 26	<i>from passage</i>
Sec. 27	<i>from passage</i>
Sec. 28	<i>from passage</i>
Sec. 29	<i>from passage</i>
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